

H. R. 7175. A bill for the relief of George H. Hines, Jr.; to the Committee on World War Veterans' Legislation.

By Mr. HENDRICKS:

H. R. 7176. A bill granting a pension to Etta M. Perkins; to the Committee on Invalid Pensions.

By Mr. JOHNS:

H. R. 7177. A bill for the relief of Ebenezer L. Haley; to the Committee on Military Affairs.

By Mr. LESINSKI:

H. R. 7178. A bill for the relief of Ludwig Baur; to the Committee on Immigration and Naturalization.

H. R. 7179. A bill authorizing the naturalization of Louis D. Friedman; to the Committee on Immigration and Naturalization.

By Mr. McLEOD:

H. R. 7180 (by request). A bill for the relief of John A. Falvey; to the Committee on Claims.

H. R. 7181. A bill granting a pension to Catherine Binder; to the Committee on Pensions.

By Mr. MILLER:

H. R. 7182. A bill to correct the record of the late Robert James Elliott; to the Committee on War Claims.

By Mr. RANDOLPH:

H. R. 7183. A bill for the relief of Harold W. Kinderman; to the Committee on Military Affairs.

By Mr. ROBINSON of Utah:

H. R. 7184. A bill for the relief of Leda Nelson Jones; to the Committee on Claims.

By Mr. SABATH:

H. R. 7185. A bill for the relief of Rozalja Golba (nee Piotrowska), alias Joanna Piotrowska; to the Committee on Immigration and Naturalization.

By Mr. WEAVER:

H. R. 7186. A bill to provide for placing Jacob Schneider, Jr., on the retired list of the United States Army as a staff sergeant, United States Army; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4617. By Mr. CARTER: Senate Joint Resolution No. 28 of the California Legislature, relative to the deepening and channel straightening of the Eel River, Humboldt County, Calif.; to the Committee on Rivers and Harbors.

4618. Also, Senate Joint Resolution No. 29 of the California Legislature, protesting against any further expansion of the national-park system in the proposed enlargement of the Lava Beds National Monument; to the Committee on the Public Lands.

4619. By Mr. GEYER of California: Resolution of Labor's Non Partisan League, Jules L. Klievits, assistant executive secretary, Los Angeles, Calif., opposing antialien legislation, such as House bills 4860, 5526, 273, and Senate bills 407 to 411, and some 70 other similar bills, also commending those California Congressmen who voted against the Hobbs bill; to the Committee on Immigration and Naturalization.

4620. Also, resolution of the Auxiliary of the International Longshoremen's and Warehousemen's Union, No. 8, Mrs. R. M. Brown, secretary, San Pedro, Calif., opposing antialien legislation, such as House bills 4860, 5526, 273, and Senate bills 407 to 411, and some 70 other similar bills, also commending those California Congressmen who voted against the Hobbs bill; to the Committee on Immigration and Naturalization.

4621. Also, resolution of the Auxiliary of International Longshoremen's and Warehousemen's Union, No. 8, Mrs. R. M. Brown, secretary, San Pedro, Calif., protesting against the interpretation of the Sherman Act in the Apex hosiery case and urging that it be amended in order that it may not be applied to trade-unions; to the Committee on Labor.

4622. By Mr. HART: Memorial of the Conference of Independent Bakery Owners and Managers in convention at Chicago, Ill., requesting amendment to the National Labor Relations Act; to the Committee on Labor.

4623. Also, petition of the Atlantic County Bankers' Association of New Jersey, setting forth a proposal to reduce the interest on postal savings; to the Committee on Banking and Currency.

4624. By Mr. HARTER of New York: Petition of 24 citizens of Erie County, N. Y., opposing the Wagner-Rogers bills which seek to bring 20,000 German refugee children to the United States; to the Committee on Immigration and Naturalization.

4625. By Mr. LUTHER A. JOHNSON: Petition of R. L. Farris and J. M. Moore, of Hubbard; H. C. Barlow, of Kerens; S. C. Tirey and E. L. Shippey, of Maypearl; E. L. Webb, W. K. Lokey, W. E. Kidd, and H. S. Brindley, of Waxahachie; and L. F. Huffman, of Bryan, all of the State of Texas, favoring House bill 6749; to the Committee on Agriculture.

4626. By Mr. LUCE: Petition of Massachusetts Women's Political Club, regarding neutrality legislation, condemning the Bloom neutrality bill; to the Committee on Foreign Affairs.

4627. By Mrs. NORTON: Petition of the Reim Ahuvim, K. U. V., of Newark, N. J., opposing proposed immigration restriction for the next 5 years; to the Committee on Immigration and Naturalization.

4628. By Mr. O'BRIEN: Resolution of members of Garrison, No. 10, of the Army and Navy Union of U. S. A., Department of New York, Rochester, N. Y., regarding employment of ex-service men; to the Committee on Labor.

4629. By Mr. SCHIFFLER: Petition of Works Progress Administration workers of Hancock County, W. Va., protesting against the recent Works Progress Administration bill passed by Congress; to the Committee on Appropriations.

4630. By the SPEAKER: Petition of the city of Cincinnati, Ohio, petitioning consideration of their resolution with reference to Barkley bill, S. 685; to the Committee on Rivers and Harbors.

4631. Also, petition of the Western Association of State Game and Fish Commissioners, San Francisco, Calif., petitioning consideration of their resolution with reference to the Taylor Grazing Act (Public, No. 827, 74th Cong.); to the Committee on the Public Lands.

4632. Also, petition of the United Federal Workers of America, Works Progress Administration, Local No. 1, Washington, D. C., petitioning consideration of their resolution with reference to Public Resolution No. 24, Seventy-sixth Congress, first session; to the Committee on Appropriations.

4633. Also, petition of the American Osteopathic Association, Chicago, Ill., petitioning consideration of their resolution with reference to the national health bill, S. 1620; to the Committee on Ways and Means.

4634. Also, petition of the Washington Youth Council, Washington, D. C., petitioning consideration of their resolution with reference to Works Progress Administration and the Federal theater in the Works Program; to the Committee on Appropriations.

SENATE

THURSDAY, JULY 13, 1939

(Legislative day of Monday, July 10, 1939)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O loving Father, who alone canst lead us in the way everlasting and dost quicken us with a hope that maketh not ashamed: Draw our hearts unto Thee at this altar of prayer, that, with true penitence, we may reveal our steadfast purpose of a new obedience.

In these testing times, when men's hearts are heated hot with burning fears, and they are afraid of the results of yesterday, the cares of today, and the problems of tomorrow, give us the fortitude to bear the name of Christian, for He who gave us His name summons us to sacrifice, calls us to

comradeship, and beckons us to service in the fulfillment of our duties as leaders of the Nation.

In our prosperity may we always be thankful; in our adversity may we ever be patient, rejoicing only in that which brings us to Thee, and sorry for nothing save that which draws us from Thee. Keep us this day and in the days that lie ahead steadfast in Thy love. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. HARRISON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, July 12, 1939, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 2336) to authorize an exchange of lands at the Fort Francis E. Warren Military Reservation, Wyo.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 839. An act to amend the Retirement Act of April 23, 1904;

S. 1155. An act to provide for probationary appointments of officers in the Regular Army; and

S. 2163. An act to authorize an appropriation to meet such expenses as the President, in his discretion, may deem necessary to enable the United States to cooperate with the Republic of Panama in completing the construction of a national highway between Chorrera and Rio Hato, Republic of Panama, for defense purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1882) for the relief of Otis M. Culver, Samuel E. Abbey, Joseph Reger, and August H. Krueger.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 985. An act to authorize the Secretary of War to furnish certain markers for certain graves;

H. R. 3321. An act to provide allowances for uniforms and equipment to certain officers of the Officers' Reserve Corps;

H. R. 3795. An act to provide a right-of-way through the Chilkoot Barracks Military Reservation, Alaska;

H. R. 4008. An act to authorize an exchange of lands between the War Department and the Department of Labor;

H. R. 4783. An act to provide a right-of-way;

H. R. 4784. An act to provide a right-of-way;

H. R. 5735. An act to authorize the acquisition of additional land for military purposes;

H. R. 5912. An act authorizing the Secretary of War to permit Salt Lake City, Utah, to construct and maintain certain roads, streets, and boulevards across the Fort Douglas Military Reservation;

H. R. 6925. An act to waive the age limit for appointment as second lieutenant, Regular Army, of certain persons now on active duty with the Air Corps;

H. R. 7093. An act to provide for the rank and title of lieutenant general of the Regular Army;

H. J. Res. 329. Joint resolution consenting to an interstate oil compact to conserve oil and gas; and

H. J. Res. 341. Joint resolution to dissolve the United States Supreme Court Building Commission.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bone	Clark, Idaho	Frazier
Andrews	Borah	Clark, Mo.	George
Ashurst	Bridges	Danaher	Gerry
Austin	Bulow	Davis	Gibson
Barbour	Byrd	Donahay	Gillette
Barkley	Capper	Downey	Glass
Bilbo	Chavez	Ellender	Green

Guffey	La Follette	Overton	Thomas, Utah
Gurney	Lee	Pittman	Tobey
Hale	Lodge	Radcliffe	Townsend
Harrison	Lucas	Reed	Tydings
Hatch	Lundeen	Reynolds	Vandenberg
Hayden	McNary	Russell	Van Nuys
Herring	Maloney	Schwartz	Wagner
Hill	Mead	Schwellenbach	Walsh
Holman	Minton	Sheppard	Wheeler
Holt	Murray	Shipstead	White
Hughes	Neely	Slattery	Wiley
Johnson, Calif.	Norris	Smith	
Johnson, Colo.	Nye	Taft	
King	O'Mahoney	Thomas, Okla.	

Mr. HILL. The Senator from New Jersey [Mr. SMATHERS] is detained from the Senate because of illness.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from South Carolina [Mr. BYRNES], the Senator from Arkansas [Mrs. CARAWAY] the Senator from Kentucky [Mr. LOGAN], the Senator from Nevada [Mr. McCARRAN], and the Senator from Florida [Mr. PEPPER] are absent on important public business.

The senior Senator from Tennessee [Mr. McKELLAR], the junior Senator from Tennessee [Mr. STEWART], the Senator from Texas [Mr. CONNALLY], the Senator from Nebraska [Mr. BURKE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Arkansas [Mr. MILLER] are absent attending the funeral of the late Representative McReynolds, of Tennessee.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

THE SILK INDUSTRY

Mr. DAVIS. Mr. President, I present a letter from Representative GERLACH, of Pennsylvania, relative to the silk industry in the United States, and also copy of a proposed joint resolution by Mr. GERLACH. I ask that the letter and accompanying resolution may be printed in the body of the RECORD and appropriately referred.

There being no objection, the letter and accompanying draft of a joint resolution were referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 13, 1939.

HON. JAMES J. DAVIS,
United States Senate.

DEAR SENATOR: The slowly dying silk industry in the United States has become a matter of great concern to me, because it directly affects a large group of workers in my district, and I think the monopolistic practices of the group controlling the industry should have the attention of Congress.

The manufacturers in my district inform me that in New York City there is a group of from eight to a dozen men who control the raw silk from the time it is imported until it is manufactured into the finished product. Their group shop around among the processing manufacturers, playing one against the other, until they beat down the price to the lowest figure possible, with the result that the silk worker who formerly received from \$20 to \$60 a week now is paid from \$8 to \$18, and more often \$8 than \$18. The manufacturers of silk who used to buy their raw material, process it, and sell the finished product to the retail trade are now known as commission weavers and throwsters, and the silk from the start to finish belongs to the small group who originally bought the raw product.

My home city of Allentown was the second largest silk center in the country when the manufacturer could go into the market and purchase his own raw material, manufacture it, and sell directly to the trade. They employed between fifteen and twenty thousand people. Today they employ less than 3,000 and not on full time. In this connection, I believe that half of the employees in the entire industry are employed in Pennsylvania.

As an illustration of what the manufacturer is up against: One mill in Allentown, the Maxwell Silk Co., after a number of telephone calls from this group in New York, was awarded a contract for one million and a half yards of silk to process at 40½ cents per yard. They started work and 5 days later they were advised by the New York group to stop operations on the contract immediately, that the contract was being given to a firm in Italy at 15 cents per yard plus 14 cents tax, making a total of 29 cents per yard against the 40½ cents which it would have cost to manufacture in this country. And let me stress this point that, based on the 40½ cents a yard, the wages paid the worker would have been only \$18 per week. Since the contract was only a verbal one, the company was compelled to comply, and Italy got the work, and the plant is closed up tight today.

While I know the foregoing is more a tariff than a monopolistic matter, it helps to show just what the control of the raw silk

by a small group can do to injure our own manufacturers and workers.

I am going to Allentown over the week end and have arranged for a meeting with our local manufacturers and hope to have more information when I return next week, which I shall forward to you promptly.

However, I think the situation I have described clearly indicates monopolistic practices and should come within the purview either of the Senate Monopoly Committee or the Federal Trade Commission.

Very sincerely yours,

CHARLES L. GERLACH.

Joint resolution directing the Federal Trade Commission to investigate the policies employed by importers and manufacturers in distributing imports of raw silk and manufactures thereof, and of the domestic silk industry, as these policies affect the public interest

Resolved, etc., That the Federal Trade Commission be, and is hereby, directed and authorized under the act entitled "An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," approved September 26, 1914, to investigate the policies as these policies affect the public interest.

The purpose of this investigation shall be to determine—

1. The extent of concentration of control and of monopoly in the manufacturing, warehousing, distribution, and sale of imports of raw silk and manufactures thereof, and of the domestic silk industry, including methods and devices used by importers and manufacturers for obtaining and maintaining their control or monopoly of such manufacturing, warehousing, distribution, and sale of such commodities, and the extent, if any, to which fraudulent combinations, monopolies, price fixing, or unfair trade practices exist;

2. The extent to which any of the antitrust laws of the United States are being violated; and

3. For the purpose of the investigation hereby directed and authorized, the Federal Trade Commission is given all the powers conferred upon it by the Federal Trade Commission Act.

Sec. 2. The Federal Trade Commission shall report its findings to the Congress of the United States within 1 year from date of enactment of this resolution, recommending whatever remedial legislation it deems necessary and proper.

Sec. 3. The sum of \$50,000 is hereby authorized to be appropriated to the Federal Trade Commission for the purpose of making this investigation.

REPORTS OF COMMITTEES

Mr. SCHWARTZ, from the Committee on Claims, to which was referred the bill (S. 2252) for the relief of Louis Simons, reported it without amendment and submitted a report (No. 768) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

S. 1211. A bill for the relief of Jesse Claud Branson (Rept. No. 769); and

S. 2289. A bill for the relief of the Leesburg Welding & Garage Co. (Rept. No. 770).

Mr. TOWNSEND, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 3614. An act for the relief of Frank M. Croman (Rept. No. 771);

H. R. 3623. An act for the relief of Capt. Clyde E. Steele, United States Army (Rept. No. 772); and

H. R. 3730. An act for the relief of John G. Wynn (Rept. No. 773).

Mr. BURKE, from the Committee on Claims, to which was referred the bill (H. R. 1883) for the relief of Marguerite Kuenzi, reported it without amendment and submitted a report (No. 774) thereon.

Mr. HUGHES, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 542. An act for the relief of Anna Elizabeth Watrous (Rept. No. 775); and

H. R. 2234. An act for the relief of W. E. R. Covell (Rept. No. 776).

Mr. HUGHES also, from the same committee, to which was referred the bill (H. R. 2452) for the relief of George Slade, reported it with an amendment and submitted a report (No. 777) thereon.

He also, from the Committee on Immigration, to which was referred the bill (S. 2027) for the relief of John Marinis, Nicolaos Elias, Ihoanis or Jean Demetre Votsitsanos, and

Michael Votsitsanos, reported it without amendment and submitted a report (No. 789) thereon.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (S. 1239) for the relief of Priscilla M. Noland, reported it with amendments and submitted a report (No. 778) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 2234. A bill for the relief of Walter R. Maguire (Rept. No. 779);

H. R. 3081. A bill for the relief of Margaret B. Nonnenberg (Rept. No. 780);

H. R. 4155. A bill for the relief of Mary A. Brummal (Rept. No. 781);

H. R. 4391. A bill for the relief of H. W. Hamlin (Rept. No. 782);

H. R. 4440. A bill for the relief of Mr. and Mrs. John Shebestok, parents of Constance and Louis Shebestok (Rept. No. 783); and

H. R. 4762. A bill for the relief of William S. Huntley (Rept. No. 784).

Mr. CAPPER also, from the Committee on the District of Columbia, to which was referred the bill (S. 2139) to exempt from taxation certain property of the American Friends Service Committee, a nonprofit corporation organized under the laws of Pennsylvania for religious, educational, and social-service purposes, reported it without amendment and submitted a report (No. 790) thereon.

Mr. ELLENDER, from the Committee on Claims, to which was referred the bill (S. 2250) for the relief of Joseph F. Tondre, reported it without amendment and submitted a report (No. 785) thereon.

He also, from the same committee, to which was referred the bill (S. 1649) for the relief of Alan C. Winter, Jr., and Elizabeth Winter, reported it with an amendment and submitted a report (No. 786) thereon.

Mr. SCHWELLENBACH, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 2480. An act for the relief of the estate of John B. Brack (Rept. No. 787); and

H. R. 2687. An act for the relief of Elbert R. Miller (Rept. No. 788).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WALSH:

S. 2789. A bill granting a pension to Josephine W. Reach; to the Committee on Pensions.

By Mr. MINTON:

S. 2790. A bill conferring jurisdiction upon the United States District Court for the Western District of Kentucky to hear, determine, and render judgment upon certain claims against the United States arising out of the construction of Ohio River Dam No. 41 at Louisville, Ky.; to the Committee on Claims.

S. 2791. A bill for the relief of William L. Christy; to the Committee on Military Affairs.

By Mr. SHEPPARD:

S. 2792. A bill to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd; to the Committee on Claims.

By Mr. BONE:

S. 2793. A bill for the relief of Joseph Daniel Elmore Hulse; to the Committee on Commerce.

By Mr. JOHNSON of Colorado:

S. 2794. A bill to amend the act entitled "An act to increase the efficiency of the Air Corps," approved June 16, 1936; to the Committee on Military Affairs.

By Mr. REYNOLDS:

S. 2795. A bill to authorize the fiscal agent of the Director of the Civilian Conservation Corps to permit certain persons

compensated from Civilian Conservation Corps funds to make pay allotments; to the Committee on Education and Labor.

S. 2796. A bill authorizing Maj. Caleb V. Haynes, United States Army, to accept and wear the decoration tendered him by the Government of Chile; to the Committee on Military Affairs.

By Mr. NYE:

S. 2797. A bill to amend the Merchant Marine Act, 1936, as amended, to provide for subsidies to aid in the construction and operation of floating landing fields and other seadrome structures; to the Committee on Commerce.

By Mr. DONAHEY:

S. 2798. A bill for the relief of Charles H. Parr; to the Committee on Claims.

By Mr. LUCAS:

S. 2799. A bill for the relief of James George Mayfield; to the Committee on Claims.

By Mr. SMITH:

S. J. Res. 169. Joint resolution relating to Federal grants to certain nonprofit community hospitals in connection with self-liquidating projects; to the Committee on Appropriations.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, or ordered to be placed on the calendar, as follows:

H. R. 985. An act to authorize the Secretary of War to furnish certain markers for certain graves;

H. R. 3321. An act to provide allowances for uniforms and equipment to certain officers of the Officers' Reserve Corps;

H. R. 3795. An act to provide a right-of-way through the Chilkoot Barracks Military Reservation, Alaska;

H. R. 4008. An act to authorize an exchange of lands between the War Department and the Department of Labor;

H. R. 4783. An act to provide a right-of-way;

H. R. 4784. An act to provide a right-of-way;

H. R. 5735. An act to authorize the acquisition of additional land for military purposes;

H. R. 5912. An act authorizing the Secretary of War to permit Salt Lake City, Utah, to construct and maintain certain roads, streets, and boulevards across the Fort Douglas Military Reservation; and

H. R. 6925. An act to waive the age limit for appointment as second lieutenant, Regular Army, of certain persons now on active duty with the Air Corps; to the Committee on Military Affairs.

H. R. 7093. An act to provide for the rank and title of lieutenant general of the Regular Army; to the Calendar.

H. J. Res. 341. Joint resolution to dissolve the United States Supreme Court Building Commission; to the Committee on Public Buildings and Grounds.

ADDITIONAL COPIES OF RULES AND NOTES OF CIVIL PROCEDURE FOR DISTRICT COURTS

Mr. ASHURST submitted the following resolution (S. Res. 162), which was referred to the Committee on Printing:

Resolved, That House Document No. 460, Seventy-fifth Congress, third session, entitled "Rules of Civil Procedure for the District Courts of the United States," and House Document No. 588, Seventy-fifth Congress, third session, entitled "Notes to the Rules of the Civil Procedure for the District Courts of the United States," be printed in one volume with an index and bound, as may be directed by the Joint Committee on Printing; and that 550 additional copies shall be printed, of which 100 copies shall be for the use of the Senate and 450 copies for the use of the House of Representatives.

PRINTING OF PRAYERS OF CHAPLAIN OF THE SENATE

Mr. NEELY submitted the following resolution (S. Res. 163), which was referred to the Committee on Printing:

Resolved, That 2,500 copies of the prayers offered by the Reverend Z. Barney T. Phillips, D. D., Chaplain of the Senate, at the opening of the daily sessions of the Senate during the first session of the Seventy-sixth Congress be printed and bound for the use of the Senate.

CAPACITY, ETC., OF WATER-POWER PLANTS

Mr. LA FOLLETTE. I ask unanimous consent to submit a Senate resolution and I also ask unanimous consent for its immediate consideration. I have consulted with the majority leader and the minority leader and several other Sen-

ators and I think the resolution will not lead to debate, or that there will be any objection to it.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 164) was read, as follows:

Resolved, That the Federal Power Commission be, and it is hereby, directed to transmit to the Senate a report showing the installed capacity, ownership, and kilowatt-hour output for the calendar year of 1938, where available, for all water-power plants in the United States having an installed capacity of 100 horsepower or more.

Sec. 2. That the report when received be printed as a Senate document.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

ADMINISTRATION OF W. P. A. IN WEST VIRGINIA—LETTER BY SENATOR HOLT

[Mr. HOLT asked and obtained leave to have printed in the RECORD a letter written by himself with reference to the administration of W. P. A. in West Virginia, which appears in the Appendix.]

NEUTRALITY—ADDRESS BY WILLIAM J. GOODWIN

[Mr. REYNOLDS asked and obtained leave to have published in the RECORD extracts from a radio address upon the subject The Menace of the Bloom Neutrality Bill delivered by Hon. William J. Goodwin, of New York, at Woodside, Long Island, N. Y., June 29, 1939, which appear in the Appendix.]

CONGRESS AND NEUTRALITY—ADDRESSES BY MARK SULLIVAN AND JAY FRANKLIN

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD radio addresses by Mark Sullivan and Jay Franklin delivered on July 12, 1939, on the subject of Congress and Neutrality, which appear in the Appendix.]

THE PHILIPPINES

[Mr. DANAHY asked and obtained leave to have printed in the RECORD an article in Collier's for July 1, 1939, entitled "Can We Hold the Richest Land on Earth?"]

THE DECLARATION OF INDEPENDENCE—ARTICLE BY FRAZIER HUNT

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an article by Frazier Hunt, published in the magazine section of the Pittsburgh Press for July 2, 1939, entitled "Words That Will Never Die," which appears in the Appendix.]

PRESIDENT ANASTASIO SOMOSA—EDITORIAL FROM WASHINGTON TIMES-HERALD

[Mr. BILBO asked and obtained leave to have printed in the RECORD an editorial from the Washington, D. C., Times-Herald, entitled "President Anastasio Somosa," which appears in the Appendix.]

FRUITS OF SILVER—EDITORIAL FROM WASHINGTON, D. C., EVENING STAR

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an editorial from the Washington, D. C., Evening Star of July 10, 1939, entitled "Fruits of Silver," which appears in the Appendix.]

NEUTRALITY—EDITORIAL FROM BALTIMORE SUN

[Mr. HUGHES asked and obtained unanimous consent to have printed in the RECORD an editorial from the Baltimore Sun of July 13, 1939, entitled "Neutrality Fiasco," which appears in the Appendix.]

THE WAR DEBTS—EDITORIAL FROM SATURDAY EVENING POST

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an editorial from the current issue of the Saturday Evening Post on the subject of the War Debts, which appears in the Appendix.]

WEST VIRGINIA CO.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 289) for the relief of the West Virginia Co., which were on page 1, line 4, to strike out all after "Treasury" down to and including "Administration" in line 5 and insert "not otherwise appropriated"; on page 1, line 7, to strike out "\$2,156.43"

and insert "\$1,876.43"; and on page 1, line 12, to strike out all after "Provided," down to and including "\$1,000", in line 12 of page 2 and insert "That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. NEELY. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

INTERSTATE OIL COMPACT TO CONSERVE OIL AND GAS

The VICE PRESIDENT laid before the Senate a joint resolution from the House of Representatives (H. J. Res. 329), consenting to an interstate oil compact to conserve oil and gas, which was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the consent of Congress is hereby given to an extension and renewal for a period of 2 years, from September 1, 1939, of the interstate compact to conserve oil and gas, executed in the city of Dallas, Tex., the 16th day of February 1935 by the representatives of the States of Oklahoma, Texas, California, and New Mexico, and thereafter recommended for ratification by the representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and subsequently ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, which said compact was deposited in the Department of State of the United States, and thereafter such compact was, by the President, presented to the Congress and the Congress gave consent to such compact by House Joint Resolution 407, approved August 27, 1935 (Public Res. No. 64, 74th Cong.), and which said compact was thereafter extended and renewed for a period of 2 years from September 1, 1937, by an agreement executed in New Orleans, La., the 10th day of May 1937, by the representatives of the States of Oklahoma, Texas, Kansas, and New Mexico, and was duly ratified by the States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, and was deposited in the Department of State of the United States, and thereafter such extended and renewed compact was, by the President, presented to the Congress and the Congress gave consent to such extended and renewed compact by Senate Joint Resolution 183, approved August 10, 1937 (Public Res. No. 57, 75th Cong.).

The extended and renewed compact, dated the 5th day of April 1939, duly executed by the representatives of the States of Oklahoma, Texas, Kansas, New Mexico, Colorado, and Michigan, and duly authorized and ratified by the said States of Oklahoma, Texas, Kansas, New Mexico, Colorado, and Michigan, and which extended and renewed compact has been deposited in the Department of State of the United States, reads as follows:

"AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE OIL AND GAS"

"Whereas on the 16th day of February 1935, in the city of Dallas, Tex., there was executed 'An interstate compact to conserve oil and gas' which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

"AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS"

"ARTICLE I"

"This agreement may become effective within any compacting State at any time as prescribed by that State, and shall become effective within those States ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing State may become a party hereto as hereinafter provided.

"ARTICLE II"

"The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

"ARTICLE III"

"Each State bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

"(a) The operation of any oil well with an inefficient gas-oil ratio.

"(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas in paying quantities.

"(c) The avoidable escape into the open air or the wasteful burning of gas from a natural-gas well.

"(d) The creation of unnecessary fire hazards.

"(e) The drilling, equipping, locating, spacing, or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"(f) The inefficient, excessive, or improper use of the reservoir energy in producing any well.

"The enumeration of the foregoing subjects shall not limit the scope of the authority of any State.

"ARTICLE IV"

"Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas-conservation statutes or any valid rule, order, or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

"ARTICLE V"

"It is not the purpose of this compact to authorize the States joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

"ARTICLE VI"

"Each State joining herein shall appoint one representative to a commission hereby constituted and designated as 'The Interstate Oil Compact Commission,' the duty of which said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said Commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

"The Commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said States, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

"No action shall be taken by the Commission except: (1) By the affirmative votes of the majority of the whole number of the compacting States, represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: Such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

"ARTICLE VII"

"No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

"ARTICLE VIII"

"This compact shall expire September 1, 1937. But any State joining herein may, upon 60 days' notice, withdraw herefrom.

"The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the Governor of each of the signatory States.

"This compact shall become effective when ratified and approved as provided in article 1. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.

"Done in the city of Dallas, Tex., this 16th day of February 1935.

"Whereas said interstate compact was heretofore duly renewed and extended for 2 years from September 1, 1937, its original expiration date, to September 1, 1939; and

"Whereas it is desired, to again extend and renew said interstate compact to conserve oil and gas for another period of 2 years from September 1, 1939, its present expiration date, to September 1, 1941: Now, therefore, this writing witnesseth:

"It is hereby agreed that the said compact entitled 'An interstate compact to conserve oil and gas' executed in the city of Dallas, Tex., on the 16th day of February 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of 2 years from September 1, 1939, its present date of expiration, this agreement to become effective within those States joining herein when executed by any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico, and consent thereto is given by Congress.

"The signatory States executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the Governor of each of the signatory States.

"Executed as of this the 5th day of April 1939 by the several undersigned States, at their several capitals, through their proper officials thereunto duly authorized by statutes, resolutions, or proclamations of the several States."

Sec. 2. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

Mr. THOMAS of Oklahoma. Mr. President, late last night the Senate passed an identical joint resolution, known as Senate Joint Resolution 155. It seems that at the same

time the House was considering this joint resolution, and it has now been messaged to the Senate.

I ask unanimous consent that the Senate proceed to the consideration of House Joint Resolution 329. I shall follow that with a motion to reconsider the vote by which the Senate joint resolution passed, and then ask that the House return the Senate joint resolution.

The VICE PRESIDENT. The Senator from Oklahoma asks unanimous consent for the present consideration of House Joint Resolution 329. Is there objection?

Mr. AUSTIN. Mr. President, reserving the right to object, I should like to interrogate the Senator regarding the joint resolution.

Mr. THOMAS of Oklahoma. It is identical with the joint resolution which the Senate passed late yesterday afternoon.

Mr. AUSTIN. Does it deal with the approval of compacts between States?

Mr. THOMAS of Oklahoma. It does. It grants the consent of Congress to the making of this particular compact among, I think, seven States.

Mr. AUSTIN. I have no objection.

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 329) consenting to an interstate oil compact to conserve oil and gas, which was ordered to a third reading, read the third time, and passed.

Mr. THOMAS of Oklahoma. Mr. President, I enter a motion to reconsider the vote by which Senate Joint Resolution 155 was passed on yesterday; and I ask unanimous consent that the House be requested to return the joint resolution to this body.

The VICE PRESIDENT. The motion will be entered; and, without objection, the House will be requested to return the Senate joint resolution.

NOMINATION OF ELMER D. DAVIES

Several Senators addressed the Chair.

The VICE PRESIDENT. The Chair desires to make a statement. Yesterday the Senate gave unanimous consent that upon the meeting of the Senate today the Senator from Mississippi [Mr. BILBO] should be recognized. The Chair feels that he should recognize the Senator from Mississippi, who may yield to any Senator he desires.

Mr. ASHURST. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Arizona?

Mr. BILBO. I shall be glad to yield to the Senator.

Mr. ASHURST. On yesterday, when I was unfortunately absent by reason of illness in my family, a judicial nomination was brought up and confirmed, and the President was notified.

I attach no blame to any person. It is one of those unfortunate mistakes that occur in life. No bad faith was exhibited. All parties were under a misapprehension. There is tremendous opposition to that nomination. The committee had not concluded its investigation. In fact, witnesses sent a telegram this morning asking to be heard.

I understand—I wish to be corrected if I am in error—that a motion was made yesterday to request the Executive to return the nomination.

Mr. AUSTIN. Mr. President, a motion requesting the President to return the nomination unanimously prevailed. At the time of making the motion the Senator from New Jersey [Mr. BARBOUR] stated that he would prefer not to proceed with the motion to reconsider the vote by which the nomination was confirmed until the two Senators from Tennessee could be present. That was for the reason that the nomination was confirmed out of order at their request and on the representation that it was necessary to consider it at that time if the Senators from Tennessee were to be consulted, because they were about to take a train to attend the funeral of a late colleague.

Mr. ASHURST. Mr. President, again I say that I attach no blame to any person. An honest misapprehension existed, and I am able to understand how such an irregular procedure should take place as the confirmation of a nomination in the middle of a legislative session. I have no disposition to make

criticism. Therefore, if and when the Executive returns the nomination, it will be in order to move—and if the Senator from New Jersey does not do so, I shall move—that the vote by which the nomination was confirmed be reconsidered and the nomination returned to the Judiciary Committee, so that they may continue their examination of the question.

The nomination to which I refer is that of Elmer D. Davies to be United States district judge for the middle district of Tennessee.

I conclude by saying that I attach no blame whatever and no criticism to the Senator from Tennessee or to any other person. It is one of those misadventures that take place in the rushing, roaring mill of a Congress which is anxious to adjourn.

Mr. BORAH. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Idaho?

Mr. BILBO. I am glad to yield.

Mr. BORAH. I desire to ask the chairman of the Judiciary Committee a question. Did I correctly understand the chairman to say that there is tremendous opposition to this nomination?

Mr. ASHURST. There is.

Mr. BORAH. Was there tremendous opposition before the subcommittee?

Mr. ASHURST. Yes, sir. I have laid the telegrams before the subcommittee.

Mr. BORAH. There is something peculiar about that; because, so far as I know, the subcommittee considered everything that was brought before it.

Mr. ASHURST. Possibly I should withdraw the statement that there is "tremendous" opposition. I will speak for myself. I am opposed to the nomination, and other Senators are opposed to the nomination. I think rather I should not have used the word "tremendous."

I do not wish to detain the Senate. All I ask is that a roll call be had when the nomination is before the Senate. The last attitude I want to adopt—it does not become me—is that of a censor. I do not like a censorious attitude.

As to the rules of the Senate, in the first place, there is a rule which makes it the duty of the Presiding Officer, when a Senator is speaking, to refuse to entertain a motion to consider a nomination. Secondly, it is not good practice to bring up nominations when the Senate is not in executive session. It should not be done. It is not fair to the Senate; it is not fair to the country; it is not fair to the minority; it is not fair to ourselves; and let this be a lesson that hereafter nominations should go to the Executive Calendar and be printed.

Mr. BORAH. Mr. President, I am not asking that the nomination not be returned and reconsidered, but I was on the subcommittee, and I cannot understand how it happened that we were not informed that there was further testimony to be heard.

Mr. ASHURST. I have been absent 3 days by reason of illness in my family, and as the telegrams and protests came in, I forwarded them to the clerk of the committee, Mr. Don J. Morgan. Mr. Morgan is a very competent and reliable young gentleman whom I have known since his birth time; he is from my home town of Prescott, Ariz., and I am sure he would lay any protest of any kind before the appropriate subcommittee. We all know the diligence of the able Senator from Idaho [Mr. BORAH], and we know the diligence of the chairman of the subcommittee, the Senator from Texas [Mr. CONNALLY].

I hope that this will be a warning, that we shall not take nominations up out of their regular order. The nomination of a marshal in the State of Arizona came in, and I insisted that it go through the regular order and be placed on the Executive Calendar.

Mr. BORAH. Was not this nomination considered by the committee as a whole after it was reported by the subcommittee?

Mr. ASHURST. I was not able to be present at the meeting of the committee on Monday morning.

Mr. BORAH. I understood that the subcommittee reported the nomination and that it was then reported by the committee as a whole.

Mr. ASHURST. That may be; I was not present at the meeting of my own committee Monday morning because of illness in my family. So long as we have assurance that the Senate will have an opportunity to vote on the nomination, that is all I ask.

The VICE PRESIDENT. The Senator from Mississippi yielded to the Senator from Arizona, and the Senator from Arizona spoke about the Chair's lack of observance of the rule. The Senator states the rule correctly, but when the Senate gives unanimous consent for the confirmation of a nomination and notification to the President of the confirmation, as in executive session, the present occupant of the chair, although he was not in the chair at the time of the concurrence in question, would feel that he must abide by the direction of the Senate. It was by unanimous consent of the Senate that the confirmation of the nomination was had as in executive session, and the order to notify the President was by unanimous consent. So the Chair doubts whether the Presiding Officer at the time was to blame, the Senate by unanimous consent having taken the action referred to.

Mr. HILL. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Alabama?

Mr. BILBO. I yield.

Mr. HILL. I think the Senate ought to know that this nomination was on the Executive Calendar in regular form, having been duly reported from the Judiciary Committee. It was on the printed calendar for action yesterday, and before the Senate.

Mr. O'MAHONEY. Mr. President, I had desired to ask the Senator from Mississippi to yield to me, but in view of the fact that there is to be a vote on his amendment at a certain time and he desires to speak on the amendment, I shall make my request after the vote upon his amendment.

AMENDMENT OF SOCIAL SECURITY ACT

The Senate resumed the consideration of the bill (H. R. 6635) to amend the Social Security Act, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Mississippi [Mr. BILBO].

Mr. BILBO's amendment proposes to insert at the proper place the following:

That, effective January 1, 1940, clause (7) of section 2 (a) of the Social Security Act is amended to read as follows:

"(7) provide that, if the State or any of its political subdivisions collects from the estate of any recipient of old-age assistance any amount with respect to old-age assistance furnished him under the plan, the net amount so collected shall be prorated between the United States and the State in the proportion that the amount the United States contributed to such old-age assistance during the year next preceding the year such net amount was collected bears to the amount the State contributed during such year and the amount due the United States shall be promptly paid to the United States. Any payment so made shall be deposited in the Treasury to the credit of the appropriation for the purposes of this title."

Sec. 2. Effective January 1, 1940, section 3 (a) of such act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing January 1, 1940, (1) an amount, which shall be used exclusively as old-age assistance, of \$30 per month, with respect to each aged needy individual who, at the time of such expenditure, is 65 years of age or older, and is not an inmate of a public institution, and (2), 5 percent of such amount, which shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose: *Provided*, That no amount for old-age assistance shall be paid by the Secretary of the Treasury to any State which shall contribute for old-age assistance during any quarter an amount smaller than the amount contributed by the State during the quarter beginning January 1, 1939. Any individual entitled to Federal old-age benefits under title II of this act may elect to receive in lieu thereof old-age assistance under the State plan for old-age assistance as provided in title I of this act."

Mr. NORRIS and Mr. LA FOLLETTE addressed the Chair.

The VICE PRESIDENT. Does the Senator from Mississippi yield; and if so, to whom?

Mr. BILBO. Before yielding I should like to state that yesterday, while discussing the amendment now pending, I acquiesced in a request for unanimous consent to vote on the amendment at 1 o'clock and 5 minutes today on condition that I be permitted to begin speaking at 12 o'clock. I desire to be courteous and kind to my colleagues, but there seems to be a disposition to consume all the time, and it is my fault, because I have yielded. So I now ask Senators to postpone whatever matters they desire to have put into the Record until I have occupied the few minutes left me before the vote on the amendment.

Mr. President, my amendment is an attempt to meet the demand of the American people as it has been evidenced by various polls taken by Mr. Gallup, as well as the sentiment expressed through the press of the country and by various and sundry organizations. It is an attempt to meet the recent demand that the Government of the United States assume its responsibility in making adequate provision for the needy aged who are 65 years of age or older.

I was present yesterday while the Senator from Oklahoma [Mr. LEE] was discussing his amendment, and I heard a very interesting colloquy between the Senator from Oklahoma and the senior Senator from Michigan [Mr. VANDENBERG]. They were both in full sympathy with the sentiment that the American Congress should do something about the old-age pension problem, something substantial, something more than they have done, and make decent and adequate provision. But the trouble with my friend on the opposite side of the Chamber, the Senator from Michigan, was that the Finance Committee was having difficulty in finding new sources of revenue to supply the funds to take care of this pressing obligation.

It is passing strange that no anxiety has been expressed, nothing has been said since January, about the sources of the funds to be gathered in, the golden shekels to be placed in the coffers of the Government, while we have been appropriating almost \$10,000,000,000 for the purpose of building ships and airplanes, and making needed improvements in our national defense, along with a great many other appropriations, totaling in the neighborhood of \$10,000,000,000.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BILBO. I am delighted to yield.

Mr. VANDENBERG. I am sure the Senator wants the Record to be correct. He says nothing has been said from January to July upon this subject with respect to any of these other appropriations. I think he will find that I have spoken upon almost every one, and I call his attention particularly to the fact that I voted against the largest armament bill for the very reason indicated. So I am not guilty of the entire crime which the Senator assigns to me. I think I have been about as consistent in the matter as a man could be.

Mr. BILBO. The distinguished Senator from Michigan is an exception to the rule.

In this case I am asking for an additional appropriation of only \$400,000,000 to take care of the old-age problem which confronts the American people. If this money is appropriated and spent for this purpose, it will be the best expenditure we can make to help the public welfare, because the money will be uniformly distributed to every nook and corner of this great Republic. It will increase purchasing power; it will give us that free distribution of wealth about which we have been hearing for so many years. It will put the money into the hands of people who will be forced to spend it, because their days on earth are few, and they lack the necessities of life. It will help everyone all along the line. It will help the merchant, the lawyer, the doctor, the teacher, and the preacher. It will help the bankers, it will help the community in general, because it will be uniformly distributed. It is not like spending a hundred million or two hundred million dollars on some dam in the West, when all the money is poured out at one spot. It is not like spending several hundred million dollars in the city of New York on municipal improvements, when the money is all poured out in one spot. But this additional \$400,000,000 will go into

every nook and corner of this great Republic, increasing the purchasing power in every community in America.

Furthermore, Mr. President, the amendment will do away with that unfair, unjust, and unrighteous provision of the present security law which requires the States to match Federal funds, which is so unrighteous that it is downright criminal. We have been told that the South is the country's economic problem No. 1. This matching provision is the reason why the South has been suffering.

From an examination of the statistics I have found that from 1862 to 1936 over \$8,000,000,000 has been paid by the Federal Government in pensions, and of the \$8,000,000,000 only \$1,000,000,000 went to that great section known as the South. Seven billion dollars have been used to enrich the other sections of the country, so that today they are in a position to take advantage of the 50-percent matching scheme of the present social-security law; whereas the South and the West, which have not had an opportunity to share in the bounties of the billions taken from the Government in the way of pensions, are thus impoverished and are unable to meet the requirements of the 50-50 scheme of the present social-security law.

My amendment would correct the injustice under which the West and the South especially are suffering today, because the States in the West and the South are not able, as are the rich States of the North and East, where the wealth has been concentrated, to take advantage of the present arrangement.

Mr. President, I cannot understand why any Senator with a sense of fairness would want to impose upon the sections of the country which, through no fault of theirs, are unable to get their share of the money for the old men and women who are needy. An old man in New Mexico, an old man in Mississippi, or an old man in Alabama who has been a faithful citizen and contributed his bit to the success of our great Republic is just as much entitled to his \$15, or his \$20, as the bill is now amended, as is the man who lives in California, or in Massachusetts, or in New York, or in Illinois, where the wealth of the Nation has been concentrated during the last 75 years.

Mr. President, we in the States of the South and the West are not to blame for that condition. In other words, if this damnable scheme of the social-security set-up shall be continued as it is now it will do the same thing that has been done in the past with the pensions of the country; it will draw them all into one section of the country, a condition which has resulted in bringing prosperity to that section to the detriment of other sections.

Before a vote is taken on the amendment, perchance someone may say that my proposition was before the Finance Committee and was rejected, notwithstanding that some of the best authorities of the Republic have pronounced it to be the best solution of the old-age question. It may be argued that we must have the approval of the Finance Committee; we must follow the advice of Mr. Altmeyer; we must have a favorable recommendation from the Bureau of the Budget. That argument, however, cannot be used today, because yesterday, in the face of the action of the Finance Committee, of the ruling of the Bureau of the Budget and the recommendations of Mr. Altmeyer, the Senate adopted the amendment proposed by the Senator from Texas [Mr. CONNALLY], which contained only a slight suggestion of improvement of the present situation.

It is needless to pay attention to what the Finance Committee has decided, or what Mr. Altmeyer has recommended, or what the Bureau of the Budget has ruled; the Senate has already acted in the face of those recommendations and rulings. The Senate has violated the rule in that respect. Now the Senate has a chance to do the right thing, the righteous thing, the just thing.

I wish to call attention to another matter. By the payment of the proposed \$30 a month, reaching every section of our great country, social conditions will be improved and the W. P. A. will be released from a portion of its burden, because when \$30 comes into the homes of the aged needy

people of the country the result will be to lift the burden from the shoulders of the struggling sons and daughters of the old people, so that they may give better attention to the education and the welfare of their own children and families. It will result in a decrease in the burden placed on the W. P. A., because \$30 a month going into every little community of the United States will improve conditions, so there will not be so much need for the aid rendered by the W. P. A. and the relief which is now being furnished.

I wish to say a word now to my Republican friends across the aisle. Next spring they will hold a Republican National Convention, and they will write a platform of promises, and in that platform they will want to implant a promise to the Townsends, to the old people of the United States, that if the Republicans are placed in power they will be faithful to the aged and the needy of the country and will do something in a substantial way for their relief in the way of pensions. I wish to say to my Republican colleagues on the other side of the Chamber that now they have a chance to show what they will do if they are placed in power, because I have a suspicion that, with their votes, there may be sufficient votes on this side of the Chamber possibly to adopt the amendment. But if the Republicans continue to vote against measures which mean so much to the old people of the country—and they have a chance to vote favorably for such an amendment now with the help of some humanitarians on this side of the Chamber, some who are not afraid of, and have not been influenced by, the economy cry and the economy campaign—if when they have a chance to render this service in 1939 and they decline or refuse to do it, they will be on the spot in 1940, because how can the people believe them when they realize they had a chance to do it and would not do it?

Mr. GEORGE. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Georgia?

Mr. BILBO. I shall be glad to yield.

Mr. GEORGE. I wish to understand the amendment. Does the Senator from Mississippi propose to pay \$30 per month from the Federal Treasury to each needy person on the rolls of the States? Or does the Senator propose to take the \$30 per person and carry it into a general fund, to be redistributed by the State to the pensioners?

Mr. BILBO. My proposition is to give \$30 straight out to every person on the eligible roll of the Republic.

Mr. GEORGE. To each person who is on the roll?

Mr. BILBO. Yes. And if there are any degrees of need which require that there be an adjustment, that is a matter which the State can attend to.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. O'MAHONEY. As I read the amendment, the payment is to be made by the Secretary of the Treasury without any intermediary action on the part of anyone in the State.

Mr. BILBO. Certainly; it goes direct.

Mr. O'MAHONEY. From the Treasury to the individual?

Mr. BILBO. No; it is handled by the Social Security Board through the regular channels. That is the purpose of the amendment.

Mr. O'MAHONEY. Then the payment is to be made to the State and not to the individual?

Mr. BILBO. Yes; but each individual is to be given \$30, and if there are any grades of relief, or different types of need shown in various cases, adjustment can be made in the use of the funds appropriated as the cases are thoroughly investigated by the State. But each person shall receive \$30. My proposition is to treat every son and daughter of the Republic fairly and squarely at the hands of the Government, because all pay taxes alike. If the State wants to make differentials as the result of its investigation, that is a matter which lies in the hands of the State.

Mr. GEORGE. Then, Mr. President, the Senator means, as I understand his amendment, and I so interpreted it but

I was not clear in my understanding of it, that the Federal Government will pay \$30 to each person on the roll.

Mr. BILBO. Yes.

Mr. GEORGE. So each pensioner on the State roll will receive \$30 plus whatever amount the State itself may pay to the pensioner?

Mr. BILBO. That is correct. I will say that is a correct interpretation of the amendment. The amendment has been thoroughly analyzed, scrutinized, and criticized by some of the social-security experts and by the usual counsel who attempt to serve the Senate in carrying out such matters.

Mr. President, I have prepared an amendment which I propose to introduce before the bill is finally acted upon to do away with the custom or, rather, the rule in force in some of the States requiring old people to take a pauper's oath. In view of the great official family which has been brought together by the social-security organization, not only in Washington but throughout the country, to investigate the needs of aged persons, I wish to save the old people the embarrassment and the odium of having to take a pauper's oath before the Government decides to do its duty. With all the organization under the Social Security Board I believe they can ascertain the true status of the old and needy persons of the country.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. THOMAS of Oklahoma. Does the Senator's amendment make it incumbent upon any State to contribute any sum whatever as a prerequisite to receiving \$30 for its old people?

Mr. BILBO. The amendment provides that before any State can receive the \$30 per capita from the Federal Government it must make the appropriation which is now in force and never reduce it. It can go up as high as it wants to, but it must continue to make the appropriation it has previously made.

Mr. THOMAS of Oklahoma. Then if the amendment should be adopted, each elderly person in each State would receive what each State is paying him or her plus \$30 from the Treasury?

Mr. BILBO. Plus \$30 from the Treasury.

Mr. THOMAS of Oklahoma. As I understand the amendment further provides that the age limit shall be 65 years?

Mr. BILBO. Yes; 65 years.

Mr. THOMAS of Oklahoma. In that particular it is different from the amendment suggested by my colleague [Mr. LEE] yesterday?

Mr. BILBO. Yes.

Mr. THOMAS of Oklahoma. The age limit proposed by him was 60 years. The age limit proposed by the Senator from Mississippi is 65 years.

Mr. BILBO. Yes.

Mr. THOMAS of Oklahoma. My colleague's proposal was for an appropriation of \$40 for each person. The amendment of the Senator from Mississippi proposes \$30.

Mr. BILBO. Yes.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. SCHWARTZ. I think there is quite a distinction between the two amendments, in that the amendment proposed yesterday applied to all persons over 60 years, regardless of their financial situation, while under the amendment proposed by the Senator from Mississippi the payments are to be made only to those who are classified as being needy.

Mr. BILBO. Those who are classified as being needy.

Mr. SCHWARTZ. Those who are classified as needy are those who are required to take the pauper's oath at the present time.

Mr. BILBO. Yes; those who are registered as eligible.

Mr. LEE. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. LEE. There is one other difference. Those who are gainfully employed would have the choice of keeping their jobs or giving them up and accepting the pension.

Mr. BILBO. Yes.

Mr. LEE. While I am on my feet I should like to ask the Senator a question: Does the Senator's amendment provide that every person on the rolls shall receive \$30, regardless of the degree of dependence?

Mr. BILBO. That is my understanding of my amendment. He shall receive \$30 first from the Federal Government, and if it is desired to make any differential on account of varying degrees of need that can be done by the local social-security board from the funds appropriated by the State legislature.

Mr. LEE. It seems to me it would be fairer to provide for payment to the old people according to the degree of dependence. For example, I can understand that a person declared to be 10 percent dependent would receive \$30, while some other person who was not declared to be dependent would not receive anything, either from the State or from the Federal Government. Therefore, it seems to me it would be more consistent to pay every aged person the pension. How many persons 60 years of age can the Senator think of who have today an income, aside from their jobs, sufficient to sustain them? Therefore, I believe the Senator would do well to modify his amendment so as to make the payment in proportion to the degree of dependence.

Mr. BILBO. No. The theory of my amendment is that every citizen who is declared to be eligible for an old-age pension because of needy condition shall receive \$30 from the Federal Government. The amounts now contributed by the various States are sufficiently large to permit any necessary adjustment because of varying degrees of need. I do not think there would be sufficient difference in the degrees of need to require anything other than a flat \$30 payment. There is ample margin to make the necessary adjustments, if, in the judgment of the Social Security Board, there should be adjustments. The theory of my amendment is that the Federal Government shall treat all alike, and that every citizen under the flag shall receive the same amount, \$30. So far as the State is concerned, the sky is the limit.

Mr. LEE. Except for those who are not on the rolls, those who have not been able to prove their poverty.

Mr. BILBO. They are not eligible.

Mr. LEE. They should be.

Mr. BILBO. That is the theory of the Senator's amendment. I took pleasure in voting for it.

Mr. LEE. I intend to support the Senator's amendment, and, as I announced, support amendments to help increase the pension to the old people, but I should like to see them all put on the same basis.

Mr. BILBO. I share the Senator's sentiments to the extent that I voted for his amendment; but, since we cannot get what we want, we will take what we can get. I should like to see the Senate do its duty to the needy old people and grant \$30 per capita to those who have been declared needy and eligible under the social security rules and regulations.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BILBO. I yield.

Mr. O'MAHONEY. A few moments ago the Senator called attention to the fact that some States in the Union are more wealthy than others, and therefore more capable of paying pensions of this kind.

Mr. BILBO. Yes.

Mr. O'MAHONEY. He also called attention to the fact that the conditions under which we are living have brought about a concentration of economic power and wealth in some States. As I understood him, he expressed the desire that his amendment would have the effect of equalizing the payments among the States. As I read the amendment, I wonder if it would have that result.

Mr. BILBO. I would equalize the payment of pensions to the needy old people, regardless of the State in which they live.

Mr. O'MAHONEY. Under the provisions of the Senator's amendment a pensioner in California, which is at the top of the list so far as State payments are concerned, would receive an average of approximately \$62, while a pensioner in the State of Arkansas, which is at the bottom of the list, would receive an average of about \$36 or \$37; so the inequality would not be done away with.

Mr. BILBO. That is a matter with which the Federal Government cannot concern itself, because that difference is brought about by the generosity, liberality, and humanitarianism of the States themselves. I still believe in States' rights.

Mr. O'MAHONEY. Perhaps not their humanitarianism or their desire to serve so much as their ability to pay. I think the people of Arkansas would be thoroughly pleased to be able to pay what the State of California pays, or what the State of Massachusetts pays, or what the State of New York pays.

Mr. BILBO. I appreciate the correction. I should have included the ability to pay.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. BILBO. I am delighted to yield.

Mr. THOMAS of Oklahoma. What would be the attitude of the Senator from Mississippi toward a proposal to have the Federal Government make all the collections and all the payments? The people have to pay the tax anyway. They have to pay it all. They pay the State tax to make up the State contribution, and they pay the Federal tax to make up the Federal contribution. If the National Government should make all the collections, then the National Government could make uniform payments. What would be the attitude of the Senator toward such a proposal?

Mr. BILBO. I announced on yesterday that I considered the obligation of a pension to the aged and needy of the country strictly a Federal obligation. I should be glad if it were possible to enact such legislation and have the Federal Government pay the entire bill. However, I am not now dealing with a theory. I am dealing with a condition. We have the social-security law, which imposes a dual obligation or responsibility; and, since that is true, I could not give my consent to the Federal Government taking over the funds appropriated by the States. So long as the States put up a part of the money I think they should have something to do with the qualification or eligibility of those to whom the payments are made.

Mr. THOMAS of Oklahoma. Will the Senator yield further?

Mr. BILBO. I yield.

Mr. THOMAS of Oklahoma. My inquiry did not contemplate that the Federal Government should take over the money collected by the States, but it contemplated an amendment to the Social Security Act providing that the Federal Government should make the entire collection and relieve the States from the collection and disbursement of any funds, making the obligation a Federal obligation, under the Federal law and a Federal system.

Mr. BILBO. I agree 100 percent with the Senator that that is the correct theory of how the pension should be handled and who should pay it. The Federal Government should pay it, instead of the States. However, since there is now a dual responsibility, we have to deal with the law. I am merely trying to come as near perfection as possible and eliminate the inequalities.

Mr. GEORGE. Mr. President, will the Senator yield for another question?

Mr. BILBO. I yield.

Mr. GEORGE. Yesterday we adopted the so-called Connally amendment.

Mr. BILBO. Yes; I voted for it and was glad to do so.

Mr. GEORGE. The Senator will recall that the Connally amendment requires contributions on the basis of 2 to 1 up to an average of \$15. If the Senator's amendment were adopted, would it be in lieu of the Connally amendment, or would it be in addition?

Mr. BILBO. My amendment would take the place of the Connally amendment.

Mr. GEORGE. Then it would be in lieu of the Connally amendment.

Mr. BILBO. Yes; though I am glad to have the Connally amendment in the bill.

Mr. GEORGE. Mr. President, we are in a state of parliamentary confusion if the pending amendment is in lieu of an amendment adopted yesterday, without any motion to reconsider the amendment adopted yesterday. It was for that reason that I propounded the question to the Senator. If his amendment is in addition to the Connally amendment, and simply an additional provision, then, of course, it would not be affected by the Connally amendment.

Mr. BILBO. If the Senate will adopt my amendment, the conferees can work out the legal details. As I understand, it would take the place of the Connally amendment.

Mr. President, my time has just about expired. In conclusion I wish to say that we now have an opportunity to correct a great injustice which the present social-security law imposes upon the poorer and weaker States of the Republic. We have an opportunity to do the right thing, the just thing, the square thing, the righteous thing, for the citizens of the Republic, without any partiality. The present law is a rich State's pension law. It seems to me it was written for the benefit of the rich States, because they are able to take advantage of it. Senators know that the poorer States cannot take advantage of it. We are discriminating against the old people in the poorer States. If I cannot obtain a correction in any other way, I am almost persuaded to go back to Mississippi, organize the old people of my State, and move them to California, Massachusetts, or some State which is able to take advantage of the social-security law. That would be one way to solve the problem. Mississippi is unable to match the Federal Government and pay the pension. That circumstance is an injustice to the old people living in Mississippi, something for which they are not responsible.

When Senators go back to their constituents they will have to answer the question: "You had an opportunity to give us \$30 from the Federal Government. Why did you not give us the \$30 when you had an opportunity to do so?" We now have an opportunity to let our people know that we really mean to take the action which is necessary for the relief of the old people. Remember they can all vote, because they are beyond the poll-tax age.

The PRESIDENT pro tempore. The hour of 1 o'clock having arrived, under the unanimous-consent agreement, the time of the Senator from Mississippi has expired.

Mr. GEORGE. Mr. President—

The PRESIDING OFFICER. The Senator from Georgia has 5 minutes, under the unanimous-consent agreement.

Mr. GEORGE. Mr. President, I desire to say a few words regarding the pending amendment. While I am loath to make a point of order against the amendment, it seems to me that it is clearly not in order; because if it is in lieu of the Connally amendment, obviously, it would follow that a motion to reconsider the vote by which the Connally amendment was adopted should be made.

But with respect to the merits of the amendment offered by the Senator from Mississippi, permit me to say that the provision amending clause (7) of section 2 of the Social Security Act is cared for in the bill. Clause (7) of section 2 simply relates to repayment out of funds collected by the State from a pensioner's estate of the pro rata part going to the Federal Government. That is cared for in the pending bill, and cared for effectively.

It should be said that when the Senator from Mississippi prepared his amendment the House had not reported the social security bill, and he, therefore, did not know that the first portion of his amendment would be covered by the bill as actually reported. So much for the first section.

The second section of the amendment, Mr. President, raises the important question of whether we are in a position to increase out of the Federal Treasury old-age benefits by \$30 per month to each pensioner upon the rolls of a State. We have made great progress; we are doing something toward an increase; the Connally amendment provides for a more equitable distribution up to an average of \$15 of the portion of the fund paid by the Federal Government to aged persons in the several States.

The Senator from Mississippi [Mr. BILBO] yesterday said that the added cost of his amendment would be approximately \$300,000,000. At another point he made the statement that it would be something like \$400,000,000.

Mr. BILBO. About \$400,000,000 is the correct amount.

Mr. GEORGE. Now I desire to call attention to the fact that the Treasury has estimated and reported that the cost of the old-age assistance to the Federal Government under the present law would be \$225,000,000 on January 1 next. It has also estimated that the pending amendment would add \$450,000,000 to the cost of carrying the old-age assistance provisions of the Social Security Act. That is true, Mr. President; but I now direct the attention of the Senate to the fact that under this amendment, if adopted, the Federal Government would be required to contribute \$30 a month to each person on the pension roll.

I call attention to the further fact that each State receiving this additional benefit must not reduce its contribution made during the first quarter of 1939. So, without increasing the payment from the State by a single dollar, every needy person could be put on the rolls of the State merely by reducing the amount it pays to each person.

We have in this country now 8,370,000 people 65 years of age and over. The Social Security Board has advised us that there are, at least, 4,000,000 needy aged persons 65 years of age and over; that is at least 4,000,000 who could qualify now. The Social Security Board, therefore, has estimated that the adoption of this amendment, if only 50 percent of those 65 years of age and over should qualify and go on the rolls, would increase the amount of the Federal contribution to \$1,440,000,000, or an increase of \$1,215,000,000 over the present law.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. GEORGE. I have only about a minute remaining, but I yield to the Senator.

Mr. BILBO. In view of the figures the Senator has cited, he ought to be willing to yield.

Mr. GEORGE. I am willing to yield.

Mr. BILBO. Does the Senator mean to tell the Senate that some statistician in the Social Security Board, who is not in sympathy with taking care of the obligation of the Government to the old people and who does not know anything about conditions, says, under the rules and regulations that are now placed in the hands of the Social Security Board in Washington, that 4,000,000 people can qualify at this time?

Mr. GEORGE. There are now 4,000,000 needy people on the waiting list and on the rolls who are 65 years of age and over.

Mr. BILBO. Does the Senator from Georgia object to these needy people being on the rolls?

Mr. GEORGE. No; I do not; but I am simply calling attention to the cost of the Senator's proposal.

Mr. BILBO. Why are they not on the rolls?

Mr. GEORGE. Because the States have not put them on the rolls.

Mr. BILBO. Why the discrimination?

The PRESIDENT pro tempore. The hour of 1 o'clock and 5 minutes p. m. having arrived, under the unanimous-consent agreement, the Senate will now vote on the pending amendment. The question is on the amendment offered by the Senator from Mississippi [Mr. BILBO].

Mr. BILBO. Mr. President, I ask for the yeas and nays. I desire to see how Senators stand on the question.

The PRESIDENT pro tempore. The yeas and nays are demanded. Is there a second?

The yeas and nays were not ordered.

The amendment of Mr. BILBO was rejected.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6205) to provide for additional clerk hire in the House of Representatives, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WARREN, Mr. COCHRAN,

and Mr. WOLFENDEN of Pennsylvania were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a bill (H. R. 6942) to authorize the attendance of the Marine Band at a memorial concert for the benefit of the families of the victims of the U. S. submarine *Squalus* disaster at Rye, N. H., July 30, 1939, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 1882) for the relief of Otis M. Culver, Samuel E. Abbey, Joseph Reger, and August H. Krueger, and it was signed by the President pro tempore.

HOUSE BILL REFERRED

The bill (H. R. 6942) to authorize the attendance of the Marine Band at a memorial concert for the benefit of the families of the victims of the U. S. submarine *Squalus* disaster at Rye, N. H., July 30, 1939, and for other purposes, was read twice by its title and referred to the Committee on Naval Affairs.

DISTRIBUTION OF JUDGMENT FUND OF SHOSHONE TRIBE

Mr. O'MAHONEY. Mr. President, a year ago this month the Supreme Court of the United States confirmed an award which had been made by the Court of Claims to the Shoshone Indians of Wyoming. The award was of a sum in excess of \$4,000,000. To distribute that award among the members of the tribe it is necessary for the Congress to pass a distribution act. Ever since the decision of the Supreme Court confirming the award negotiations have been in progress between the Indians, on the one hand, and the Indian Office on the other. The Members of the Wyoming delegation in the Senate and the House of Representatives have participated in the conferences. Out of those negotiations came a bill which was introduced in the Senate by the junior Senator from Wyoming [Mr. SCHWARTZ] and myself. The bill has been carefully considered by the Committee on Indian Affairs. It is unanimously agreed to; the report has been made, and it is now on the calendar. I am most anxious to have the bill passed by the Senate, in order that it may be considered by the other House before adjournment, so that the distribution may take place without delay. I, therefore, ask unanimous consent that the Senate now consider calendar No. 806, Senate bill 1878.

Mr. KING. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Utah.

Mr. KING. I desire to ask the Senator from Wyoming whether or not any part of the \$4,000,000 consists of interest?

Mr. O'MAHONEY. Yes.

Mr. KING. Is not the greater part of it interest?

Mr. O'MAHONEY. Oh, no. The award was made in the sum, as I recall, of \$4,400,000. It has been drawing interest for a year, and the interest amounts to about \$130,000.

Mr. KING. I understand that in some of these claims cases when, for illustration, the principal of the claim amounted to a million dollars, the interest item has amounted to eight or ten or fifteen million dollars. There is a measure now pending which, I think, seeks to rectify such injustice. I have, however, no objection to the bill.

Mr. McNARY. Mr. President, may I make an inquiry in order to confirm my own view?

Mr. O'MAHONEY. I yield.

Mr. McNARY. A bill passed the Congress authorizing the submission of the claim to the Court of Claims, did it not?

Mr. O'MAHONEY. That is correct.

Mr. McNARY. And the court found a verdict for the Indians, which verdict was confirmed by the Supreme Court of the United States?

Mr. O'MAHONEY. The Senator is correct.

Mr. McNARY. And this bill represents an effort to disburse the amount to the tribe of Indians?

Mr. O'MAHONEY. The Senator is quite correct.

Mr. McNARY. The bill came before the Indian Affairs Committee during my absence, but, I understand, is reported unanimously?

Mr. O'MAHONEY. Yes; and the Senator from North Dakota [Mr. FRAZIER], the ranking minority member of the committee, was present.

Mr. McNARY. It is really a routine measure designed to carry out the award of the Supreme Court?

Mr. O'MAHONEY. That is exactly correct.

Mr. McNARY. I have no objection to the bill.

The PRESIDENT pro tempore. The title of the bill will be stated.

The CHIEF CLERK. A bill (S. 1878) to provide for the distribution of the judgment fund of the Shoshone Tribe of the Wind River Reservation in Wyoming, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments.

The first amendment was, in section 2, on page 2, line 2, after the words "sum of", to strike out "\$2,350" and insert "\$2,450"; at the beginning of line 7, to insert "the sum of \$100; and", so as to make the section read:

SEC. 2. That there shall be credited on the books of the Office of Indian Affairs the sum of \$2,450 to each member of said tribe whose name appears on the roll provided for in section 1 hereof; and out of such sum so credited the Secretary of the Interior is hereby authorized to make available immediately to each individual member of the tribe the sum of \$100; and, under such rules and regulations as he may prescribe, the sum of \$1,350 to each adult and the sum of \$500 to each minor for the following purposes: Purchase of land, improvement of lands to be acquired or already held by the Indian, for the erection and improvement of suitable homes, the purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting: *Provided, however,* That the funds of the aged, infirm, decrepit, and incapacitated members may be used for their proper maintenance and support in the discretion of the Secretary of the Interior. The remainder of the share of each adult individual Indian, including accrued interest, shall be made available under such rules and regulations as the Secretary of the Interior may prescribe, and the remainder of the share of each minor Indian shall, with accrued interest, be held intact until such Indian reaches the age of 18 years, when it shall be available under the same conditions as herein provided for adults. As herein used the term "adult" shall include the members of the tribe 18 years of age or over, and the term "minor" shall include all members less than 18 years of age. On the death of any enrolled member, adult or minor, the sum on deposit to his credit shall be available for expenditure for the benefit of his heirs for the purposes herein authorized.

The amendment was agreed to.

The next amendment was, on page 3, after line 10, to strike out section 3, as follows:

SEC. 3. That after the segregation provided for in section 2 shall have been made, the remainder of said judgment fund, including interest, shall be available for expenditure on request of said tribe, and by and with the consent of the Secretary of the Interior, subject, however, to the following limitations and conditions: Not to exceed \$500,000 of said fund shall be available, with the consent of said tribe, for the purchase of lands in the manner provided in section 6 hereof; \$125,000 shall be available, with the consent of said tribe, for loans to individual members or groups of members of said tribe, under such rules and regulations as may be prescribed by the Secretary of the Interior; such money as shall remain in the fund in excess of \$625,000 shall be available for expenditure, with the consent of said Shoshone Tribe, for supervising such enterprises as may be set up through the use of the fund and for otherwise administering the use of money in and withdrawn from the said fund; and for such productive enterprises for the benefit of said tribe as shall first be approved by said tribe and by the Secretary of the Interior. An income resulting from such productive enterprises shall be repaid into the Shoshone tribal judgment fund.

The amendment was agreed to.

The next amendment was, on page 4, after line 7, to insert:

SEC. 3. (a) Not to exceed \$1,000,000 of said judgment fund, or interest thereon, shall be available for expenditure upon the request of the tribe and with the approval of the Secretary of the Interior, for the purchase of lands in the manner prescribed in section 6 of this act.

(b) The sum of \$125,000 of said judgment fund, or interest thereon, shall, at the request of the tribe and with the approval of the Secretary of the Interior, be set aside as a loan fund for making loans to individual members, or groups of members, of said tribe under such rules and regulations as may be prescribed by the Secretary of the Interior.

(c) The remainder of said judgment fund, including interest thereon, after making the segregation provided for in section 2, and after setting aside the respective amounts authorized by this section, shall be available for appropriation, upon the recommendation of the Secretary of the Interior, and with the consent of the tribe, for purposes of benefit to the tribe, including the establishment and administration of productive enterprises for the benefit of said tribe, and any income derived from such enterprises shall be credited to the Shoshone tribal judgment fund.

The amendment was agreed to.

The next amendment was, in section 4, page 5, line 10, after the word "authorized", to insert "and directed", so as to read:

SEC. 4. That the Secretary of the Interior be, and he is hereby, authorized and directed to establish land-use districts within the diminished and ceded portions of the Wind River Indian Reservation, Wyo., and, under such rules and regulations as he may prescribe, to effect the consolidation of Indian and privately owned lands within said districts through exchange, relinquishment, donation, assignment, or purchase of lands or interests therein, including water rights or surface rights to lands, improvements thereon and improvements on undisposed-of ceded lands, to the end that the respective Indian and non-Indian land holdings may be consolidated for more beneficial use.

The amendment was agreed to.

The next amendment was, in section 5, page 6, line 22, after the word "district", to strike out "is" and insert "are", so as to make the section read:

SEC. 5. That the Secretary of the Interior is hereby directed to restore to tribal ownership all undisposed-of surplus or ceded lands within the land-use districts which are not at present under lease or permit to non-Indians; and, further, to restore to tribal ownership the balance of said lands progressively as and when the non-Indian owned lands within a given land-use district are acquired by the Government for Indian use pursuant to the provisions of this act. All such restorations shall be subject to valid existing rights and claims: *Provided,* That no restoration to tribal ownership shall be made of any lands within any reclamation project heretofore authorized within the diminished or ceded portions of the reservation.

The amendment was agreed to.

The next amendment was, in section 6, page 7, line 4, after the words "sum of", to strike out "\$500,000" and insert "\$1,000,000"; in line 12, after the word "accrue", to strike out "*Provided,* That in addition to the amount of tribal funds above authorized for land purchases, there is hereby authorized to be appropriated, out of any money in the United States Treasury not otherwise appropriated, the sum of \$500,000 for the purchase of privately owned lands in accordance with the provisions of this section, which sum is to be used only in the event the Indians consent to the use of a like amount of tribal funds as hereinabove provided"; and in line 22, after the word "Arapaho", to strike out "Tribe" and insert "Tribes", so as to make the section read:

SEC. 6. That the sum of \$1,000,000 authorized in section 3 for use in carrying out the land-purchase and consolidation program hereinbefore authorized shall remain available until expended and any amount expended shall be reimbursed with interest at 4 percent per annum to the Shoshone Tribe of Indians of the Wind River Reservation from joint funds to the credit of the Shoshone and Arapaho Tribes of the Wind River Reservation or from future accruals to said joint fund, as and when said funds accrue. Title to all land purchases made hereunder shall be taken in the name of the United States in trust for the Shoshone and Arapaho Tribes of Indians of the Wind River Reservation, Wyo. All purchases of lands or interests therein made pursuant to this section shall receive the approval of the Shoshone and Arapaho Tribal Councils or of the business committees thereof.

The amendment was agreed to.

The next amendment was, in section 7, on page 8, line 10, after the word "authorized", to strike out "or for per capita payments to the members of the Shoshone Tribe", so as to make the section read:

SEC. 7. That in no event shall any portion of the Shoshone judgment fund become liable, payable, or subject to any debt or debts contracted prior to the passage of this act by any Indian of the Shoshone Tribe except debts to the United States or to the tribe, and in no event shall any portion of the Shoshone judgment fund be expended to defray the cost of Federal administration over the Shoshone Tribe, except as herein authorized.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BLACK BOOKING AND BLIND SELLING OF MOTION-PICTURE FILMS

Mr. NEELY. Still cherishing an imperishable and increasingly confident hope that in some sweet by and by the Senate will seriously consider and eventually pass Senate bill 280, the motion-picture anti-block-booking bill, I ask unanimous consent to have printed in the body of the RECORD this measure, as modified by the proposed amendments, for the purpose of supplying desirable information to the Members of this honorable body.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

* The modified bill is as follows:

Be it enacted, etc., That the methods of distribution of motion-picture films in commerce whereby (a) exhibitors are required to lease all or a specified number of an offered group of films in order to obtain any individual desired film or films in the group, a trade practice sometimes known as "compulsory block booking"; and (b) films are leased before they are produced and without opportunity for the exhibitor to ascertain the content of such films, a trade practice sometimes known as "blind selling," are hereby declared to be contrary to public policy in that such practices interfere with the free and informed selection of films on the part of exhibitors and prevent the people of the several States and the local communities thereof from influencing such selection in the best interests of the public, and tend to create a monopoly in the production, distribution, and exhibition of films. The Congress finds and declares that such methods and practices adversely affect and constitute a burden upon commerce, and it is the purpose of this act to prohibit and to prevent such methods and practices in commerce.

Sec. 2. For the purposes of this act, unless the context otherwise requires—

(1) The term "motion-picture film" or "film" means all motion-picture films (whether copyrighted or uncopyrighted), including positive and negative prints, and copies of reproductions of such prints, which films contain photoplays or other subjects and are produced for public exhibition: *Provided*, That the term shall not include films commonly known as "news reels" or other films containing picturizations of news events, or short subjects of 2,000 feet or less in length.

(2) The term "to lease" includes the making of a license agreement, contract, or any type of agreement whereby a film, the distribution of which is controlled by one of the parties, is to be supplied to and exhibited in a theater owned, controlled, or operated by the other party.

(3) The term "person" includes an individual, partnership, association, joint-stock company, trust, or corporation.

(4) The term "distributor" includes any person who engages or contracts to engage in the distribution of motion-picture films.

(5) The term "exhibitor" includes any person who engages or contracts to engage in the exhibition of motion-picture films.

(6) The term "commerce" means commerce between any State, Territory, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or the District of Columbia, but through any place outside thereof; or within any Territory or the District of Columbia.

For the purposes of this act (but in no wise limiting the definition of commerce) a transaction in respect of any film shall be considered to be in commerce if the film is part of that current of commerce usual in the motion-picture industry whereby films are produced in one State, leased for exhibition in other States, and distributed to them through local exchanges in the several States, the films circulating from the exchanges and between the various exhibitors. Films normally in such current of commerce shall not be considered out of such commerce through resort being had to any means or device intended to remove transactions in respect thereto from the provisions of this act. For the purpose of this paragraph, the word "State" includes Territory, the District of Columbia, and foreign country.

(7) The terms "aggregate price" and "price" as used in section 3 (1) shall mean the aggregate of all flat rentals, and of all rentals based upon a percentage of prospective receipts together with any other consideration named in the lease or offer to lease.

Sec. 3. (1) It shall be unlawful for any distributor of motion-picture films in commerce to lease or offer to lease for public exhibition films in a block or group of two or more films (at a designated lump-sum price for the entire block or group only) and to require the exhibitor to lease all such films or permit him to lease none; or to lease or offer to lease for public exhibition films in a block or group of two or more at (a) a designated lump sum an aggregate price for the entire block or group and at separate and several prices for separate and several films, or for a number or numbers thereof less than the total number, which (total or lump sum) aggregate price and separate and several prices shall bear to each other such relation (a) as to operate as an unreasonable restraint upon the freedom of an exhibitor to select and lease for use and exhibition only such film or films of such block or group as he may desire and prefer to procure for exhibition, or (b) as tends to require an exhibitor to lease such entire block or group or forego the lease of any number or numbers thereof, or (c) that the effect of the lease or offer to

lease of such films may be substantially to lessen competition or tend to create a monopoly in the production, distribution, and exhibition of films; or to lease or offer to lease for public exhibition films in any other manner or by any other means the effect of which would be to defeat the purpose of this act.

(2) It shall be unlawful for any person knowingly to transport or cause to be transported in commerce any motion-picture film which is leased, or intended to be leased, in violation of subdivision (1) of this section.

Sec. 4. It shall be unlawful for any distributor of motion-picture films in commerce to lease or offer to lease for public exhibition any motion-picture film over 2,000 feet in length unless such distributor shall furnish the exhibitor at or before the time of making such lease or offer to lease (a) a complete and true) an accurate synopsis of the contents of such film. Such synopsis shall be made a part of the lease and shall include (a) (an) a general outline of the story, incidents, and scenes depicted or to be depicted) and descriptions of the principal characters, and (b) a statement describing the manner of treatment of dialogs concerning (any) and scenes depicting vice, crime, or (suggestion) suggestive of sexual passion. It is the purpose of this section to make available to the exhibitor sufficient information concerning the type and contents of the film and the manner of treatment of questionable subject matter to enable him to determine whether he wishes to select the film for exhibition and later to determine whether the film is fairly described by the synopsis.

Sec. 5. (1) Every person who violates section 3, or who fails to furnish the synopsis required by section 4, or knowingly makes any false statement in such synopsis, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not exceeding \$5,000 or by imprisonment for not exceeding 1 year, or by both such fine and imprisonment, in the discretion of the court.

(2) The several district courts of the United States are hereby invested with jurisdiction to prevent and restrain violations of this act, and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petition setting forth the case and praying that such violation shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition, the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition, and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises. Whenever it shall appear to the court before which any such proceeding may be pending that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned whether they reside in the district in which the court is held or not, and subpoenas to that end may be served in any district by the marshal thereof.

Sec. 6. If any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of the act and the applicability of such provision to other persons and circumstances shall not be affected thereby.

Sec. 7. This act shall become effective 12 months after its enactment.

AMENDMENT OF SOCIAL SECURITY ACT

The Senate resumed the consideration of the bill (H. R. 6635) to amend the Social Security Act, and for other purposes.

Mr. KING. Mr. President, we are advised by the press of the results of an election which occurred yesterday in North Dakota. It indicates the views of the people of that State with respect to some of the aspects of the social-security policy.

It appears that an active campaign has been conducted by former Gov. William Langer in favor of a plan to pay \$40 per month minimum old-age pensions. It appears from the Associated Press dispatch that the plan called for a gross income or transactions tax to raise funds for the payment of pensions, the votes in 588 precincts being 9,481 for the income or transactions tax and 66,886 in opposition.

It appears from the action of the electorate of North Dakota that when they are required to meet pensions by taxation they are not so enthusiastic for the same. There is evidence, however, that propositions are not looked upon with so much disfavor which call for the Federal Government to make appropriations to meet pension plans. Perhaps that accounts for the demands that Congress shall make large appropriations to meet pensions of various kinds and bounties and gratuities.

The press dispatch relating to this matter is as follows:

MEASURES TO PAY FOR NORTH DAKOTA PENSIONS LOSING ELECTION

FARGO, N. DAK., July 11.—Early returns from today's special election indicated a strong vote against passage of the four measures sponsored by former Gov. William Langer in a move to pay

for the \$40 minimum old-age pension plan he helped push through the recent legislature.

On an act abolishing the office of grain storage commission, 576 of 2,260 precincts gave 11,146 for the act, 64,455 against.

On a proposed system of municipal liquor control, 576 precincts gave 11,030 yes, 65,980 no.

On a 2-year moratorium on highway construction, 572 precincts gave 10,271 yes, 65,913 no.

On a gross income or transactions tax, 588 precincts gave 9,481 yes and 66,886 no.

The three latter measures were intended to help pay for the \$40 minimum monthly pensions.

Mr. DAVIS. Mr. President, I wish to speak briefly on the bill. The distinguished Senator from Mississippi [Mr. HARRISON], as chairman of the Finance Committee, is to be congratulated on the committee report and on the masterful way in which he has conducted hearings on the pending legislation. He has combined practical wisdom with genuine human sympathy and understanding.

Two years ago this spring I had the honor of serving on the Nonpartisan Social Security Commission, sponsored by the Hearst newspapers. My colleagues on this commission included Merryle S. Rukeyser, chairman; Henry I. Harriman; Samuel W. Reyburn; William J. Graham; Herman Feldman; and Dr. Richard A. Lester. The function of this commission represented a new technique in American journalism. It gave the sponsoring newspapers and the press generally the benefit of the considered judgment of a balanced group after it had carried on research, consulted outside authorities, and debated the issues at stake. On four separate occasions—March 11, April 22, May 6, and June 1, 1937—I presented to the Senate the findings of the Commission. More than 18 months later the major portion of these findings, in broad essentials, were validated by the similar recommendations of the advisory council set up jointly by the Social Security Board and the Senate Finance Committee.

These two bodies agreed on the following seven significant points:

First. In suggesting that old-age benefits start in 1940, instead of 1942;

Second. In proposing the increase of benefits to the aged in the early years of operation;

Third. In recommending the sharing of benefits with widows;

Fourth. In urging a moderate contingency reserve instead of a colossal mythical reserve approaching \$47,000,000,000;

Fifth. In urging that benefits be extended to exempt groups, such as maritime workers, and national bank clerks;

Sixth. In warning against excessive pay-roll rates; and

Seventh. In insisting on the earmarking of Federal receipts to support social security.

Mr. President, in this time of subnormal economic activity I think it is of paramount importance to encourage business and to facilitate the exchange of goods by lightening rather than increasing the tax burden. The mandatory and automatic increase in old-age benefit taxes will be obviated when Congress is relieved of the scheme to set up a huge actuarial reserve—the so-called \$47,000,000,000 reserve fund by 1980. If the analogy of private insurance were forgotten, and the country turned to the sound pay-as-you-go principle, with a moderate contingency reserve, it would be practicable to operate for some time longer on the present tax scale. A reserve of from ten to fifteen billion dollars would seem to be ample.

With business still subnormal and with unemployment still large, no heavier drain than is necessary should be made for social security on current production. In the circumstances, it would be a national blunder to continue the effort to build up a colossal actuarial reserve at the expense of dissipating the purchasing power of men and women now at work. It is currently believed that about 90 cents of every dollar collected under the plan to lay by a reserve of \$47,000,000,000 would go to reserves, and only about 10 percent into benefits. I understand the experience of the Board has shown that the 10-percent estimate was somewhat low. If the tax excess is kept down, it will automatically keep the reserve down to a reasonable figure.

I am opposed for a number of reasons to the accumulation of the contemplated huge reserve fund, which is estimated to run as high as \$47,000,000,000 in 1980. It would make mandatory an increase in the Federal debt. It would be a constant temptation to reckless spenders and might be used for political purposes. It would fail to perform an economic function unless it should be spent in a way to increase our productive power and the national income. It would make the entire old-age-benefit program rigid and inflexible to changes in the price level or in the rate of industrial progress. Such procedure is contrary to practice and experience abroad. I am informed that in Sweden, after a comprehensive study of this subject by a commission of experts over a 6-year period, the full reserve principle was abandoned at the beginning of this year, after 24 years of experience.

Mr. President, I have already referred to the patriotic and analytical work of the Nonpartisan Social Security Commission, sponsored by the Hearst newspapers. I wish to add that as a young man representing iron and steel workers, desiring to keep informed on labor conditions, I found the Hearst newspapers out front, among only a few others, advancing the cause of collective bargaining editorially and showing the mutual responsibilities of labor and management.

The activities of the Hearst Nonpartisan Social Security Commission that have played such a significant part in advancing the revisions of the Social Security Act recommended by the Ways and Means Committee of the House and the Finance Committee of the Senate are but one example of the long-continued service rendered by William Randolph Hearst to this Nation. Frequently involved in fierce controversy, this veteran publisher has stuck to his guns and fought his way through. Every manner of complaint has been brought against him, with one exception. No one has ever said that he was a coward. His papers have campaigned vigorously for higher wages and better working conditions. Long after the hue and cry of present-day controversies are over, Mr. Hearst will be remembered for the substantial contributions he has made to the preservation of the democratic system of free enterprise and the protection of the aged, the unemployed, and the helpless.

Mr. President, in conclusion I wish to call attention to a paragraph of the report of the Social Security Board to the President and the Congress of January 1939 relative to the disclosure of confidential information obtained under the Social Security Act:

The Board recommends that State public assistance plans be required, as one of the conditions for the receipt of Federal grants, to include reasonable regulations governing the custody and use of its records, designed to protect their confidential character. The Board believes that such a provision is necessary for efficient administration, and that it is also essential in order to protect beneficiaries against humiliation and exploitation such as resulted in some States where the public has had unrestricted access to official records. Efficient administration depends to a great extent upon enlisting the full cooperation of both applicants and other persons who are interviewed in relation to the establishment of eligibility; this cooperation can only be assured where there is complete confidence that the information obtained will not be used in any way to embarrass the individual or jeopardize his interests. Similar considerations are involved in safeguarding the names and addresses of recipients and the amount of assistance they receive. Experience has proved that publication of this information does not serve the avowed purpose of deterring ineligible persons from applying for assistance. The public interest is amply safeguarded if this information is available to official bodies.

Mr. President, failure to observe these principles resulted in conditions nothing short of a public scandal in the State of Pennsylvania during last year. Surely there is no place for political partisanship in the administration of social-security legislation. It should not be tolerated.

While the bill is not just exactly as I should prefer to have it, I shall nevertheless vote for its passage.

Mr. SCHWELLENBACH. Mr. President, day before yesterday, when committee amendments were being discussed and acted upon, I raised an objection to an amendment on page 42, after line 6, which refers to the fishing industry and eliminates from the provisions of the act those em-

ployees engaged in the catching, taking, harvesting, cultivating, or farming of fish, shellfish, and so on, and fixes a limitation of 400 tons for ships excluded by the amendment.

The Senator from Mississippi [Mr. HARRISON] agreed that the amendment might go over to the next day, and then, through a misunderstanding on his part because of a conversation I had had with representatives of a department, he thought I was satisfied with the amendment, and it was agreed to. Then another amendment, on page 71, line 13, which covers the same subject, was also adopted.

Mr. President, I have not agreed to the amendment, but I shall not now, because of a conversation which the Senator and I had yesterday, ask for a reconsideration of the vote by which the amendment was agreed to.

My understanding with the Senator from Mississippi is as follows—and if I am incorrect, I am sure he will correct me: That he will present the facts concerning the fishing industry so far as I have been able to ascertain them, and since this is a Senate amendment and will be subject in its entirety to negotiations between the Senate conferees and the House conferees, the Senate conferees will attempt to work out such modifications of the amendment as will meet the situation which I present, and will also take care of the situation which was intended to be taken care of by the Finance Committee when the amendment was included in the Finance Committee's report of the bill to the Senate.

On that basis I am willing at this time to have the clerk read the amendment which I would propose if it were not for the agreement with the Senator from Mississippi. My present idea is to have the matter worked out. It may be that the conferees will find that my amendment is not practicable, and under the assurance of the Senator from Mississippi I am certain that if that is so, the conferees will work out something which will meet the other situation and will not meet the situation with which the committee was confronted when the amendment was included.

The PRESIDENT pro tempore. The clerk will state the amendment suggested by the Senator from Washington.

The CHIEF CLERK. On page 42, it is proposed to strike out the committee amendment in lines 7 to 17, and in lieu thereof insert the following:

(14) Service performed by an individual in connection with the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life, in the employ of a person who does not on any one day during the pay period in which such service is performed have in his employ five or more persons engaged in rendering such service; or.

On page 71, to strike out the committee amendment in lines 13 to 23 and insert in lieu thereof the following:

(14) Service performed by an individual in connection with the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life, in the employ of a person who does not on any one day during the pay period in which such service is performed have in his employ five or more persons engaged in rendering such service; or.

Mr. SCHWELLENBACH. Mr. President, the situation with which the committee was confronted was that there are in certain parts of the country fishermen employed in very small operations. A father will own a little fishing boat, and he will work on it, and perhaps have his son or two of his sons working with him. The nature of the operation is such that the committee did not feel that it would be possible to practically administer the act in reference to those people, and the committee felt it probably would work a great hardship in reference to that type of operators to have them come under the act.

I have no quarrel with that position. However, the amendment submitted by the committee would go much further than that. According to the figures taken from the 1930 census there were at that time approximately 129,207 people employed in the fishing industry in the United States. The estimate of the Social Security Board as to the effect of the committee amendment is that it would eliminate from the operation of the act at least a hundred thousand of these

129,000 people. Clearly the committee did not intend that sort of an amendment.

The committee included the 400-ton standard because they thought that would take care of the situation, and the Board has furnished me figures to the effect that upon the basis of the elimination of vessels of less than 400 tons, of the 80,500 fishermen whose employment is directly upon ships which are under registry, there would be only 530 of the fishermen who would come under the act, and the remainder would all be eliminated from the operation of the act. I think, clearly the committee did not have any intention of creating that sort of a situation.

I then tried to figure out whether or not the 400 tons was too high, and whether it would be possible to get it down to a 50-ton basis, and I asked for the figures upon that basis. I found that that would bring about this result—that out of 28,000 involved 22,000 would be excluded, and only 6,000 included.

Upon the basis of the ships themselves, the Bureau of Fisheries, in the Department of Commerce, estimates that there is a total of only seven ships operating in the fishing industry which would be under the operation of the act if the Senate amendment were enacted in its present form. There are two whaling vessels, one cod vessel, four sardine or pilchard reduction plants. Clearly there is no intention upon the part of the committee, and there would be no intention upon the part of the Senate to have that situation result from the final acceptance of the Senate amendment.

Looking at the figures of the merchant-marine statistics for the year 1938, the total number engaged as seamen on these ships operating in the fishing industry is 24,437. I do not know what percentage of the 24,437 are employed upon the 7 ships to which I have referred, but clearly the number who are employed on the 7 ships is a very small and infinitesimal percentage of the total number of 24,437.

I place these facts in the RECORD so that my position may be made clear. We have no objection to the committee taking care of the situation which was contemplated by the Senator from Mississippi and by the Finance Committee, but I feel sure that they do not want to have all of these people—if 100,000 out of 129,000 is the correct number—eliminated from the operation of the act merely for the purpose of taking care of a comparatively small group of people throughout the country who operate their fishing industry upon the basis which the Senator from Mississippi contemplates.

I should like to have the Senator from Mississippi state the position he, at least, would take on this question in the conference.

Mr. HARRISON. Mr. President, the Senator from Washington and I are in thorough accord as to what has happened with reference to this amendment, and I am delighted that he has given these facts for the RECORD, and has presented this amendment, which he is not going to press, I understand, but which will receive the consideration of the conference committee because the matter will be in conference. We want to be helpful in the matter that is presented by the Senator from Washington, and there is no conflict in our views with reference to it. I give the Senator every assurance that the amendment which he has offered will be given consideration when the bill goes to conference.

Mr. SCHWELLENBACH. Mr. President, if I may I should like to ask for a little stronger statement than as to consideration. I think the Senator will recognize that in face of the facts, if I merely presented an amendment or opposed the Senate committee amendment, the Senate itself would not accept the Senate committee amendment as it has been adopted.

Mr. HARRISON. I am in thorough accord and sympathy with the Senator's position, and, as I understand, he is in further conference with various individuals interested in the subject of this amendment and, so far as I am concerned, I shall make an effort to have the amendment, which I understand will be further clarified, included in the conference report.

Mr. SCHWELLENBACH. I thank the Senator. I send to the desk an amendment on another phase of the bill, which I have had printed, and which I ask to have reported.

The PRESIDENT pro tempore. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 2, to strike out beginning with line 19 down to and including the word "assistance" in line 20, and in lieu thereof to insert the words "take into consideration the income of an individual claiming old-age assistance, but shall not deny old-age assistance to any individual because he owns real property having a value not in excess of \$2,500 or because he owns personal property having a value not in excess of \$500 or because other persons are under a duty to furnish support to such individual"; on page 2, line 24, before the period, insert a semicolon and the words "and (9) effective July 1, 1941, provide for a determination upon each claim for old-age assistance within thirty days from the time of filing application; and (10) effective July 1, 1941, provide that no individual shall be required, in order to receive old-age assistance, to convey or give any lien upon any property owned by such individual, and provide that in the absence of fraud and deception there shall be no recovery from the estate of any deceased individual with respect to old-age assistance received by such individual"; and on page 3, line 12, strike out "sixty-five" and insert in lieu thereof "sixty."

Mr. SCHWELLENBACH. Mr. President, during the last few days the Senate has had under consideration three different amendments involving the question of amount. The statement has been made by many Senators that it was of extreme importance that the bill be amended so as to change the amount. The argument has been used that it is necessary and desirable to do this because of the fact that if it were not done dissatisfaction with the act would be such as to result in an entirely different system, which is held by some who have discussed it to be more or less of a threat.

I recognize that the question of amount is of importance, and I believe that, insofar as we possibly can make them, increases in amount should and must be made. But if we are interested in the question of dissatisfaction, the possibility of the perpetuation of a social-security problem in the country, it is of equal if not greater importance to see that what may seem to be minor matters are adjusted so as to be satisfactory to those with whom the Social Security Board is working, either directly or through the State agencies.

The question of satisfaction with a piece of legislation usually depends first upon what it contains. But of equal, if not greater, importance, it depends upon the way in which it is administered; and if there are in the act possibilities for administration which will result in dissatisfaction, it seems to me of supreme importance that they should be eliminated. While my amendments do not involve the question of amount, they do involve questions which my experience has shown will probably result, as they have resulted in the past, in more dissatisfaction with the old-age pension system, the social-security system, than any question of amount.

Take the first part of the amendment, which refers to the question of need. The administration of the act, so far as the possible recipient is concerned, in most of the States of the Union, at least, has been through the medium of trained social-service workers. There are a good many people who take one side and a good many people who take the other side of the argument as to the fitness of trained social-service workers in handling this kind of an activity.

We must admit that the trained social-service worker does have a background which enables him or her more carefully and probably more scientifically to examine the cases. At the same time we must admit that the trained social-service worker looks upon the problem with which he or she is confronted in a different and I think in a slightly less humanitarian way than does the average citizen. It may be it is simply because such workers have had so much experience along that line that they do not impress those with whom they deal as having that humane sympathy which other people might have toward the problem.

But we have a general definition of need. We say that these people must be in need in order to participate in the program, and the social-service worker goes to the house and she makes an examination of the family. She asks innumerable questions. Many of the questions are viewed by the person in the family who is interviewed as being impertinent, as being none of the business of the social-service examiner.

Then the social-service worker finds, perhaps, that an individual over the age of 65 has, as a result of saving through the years, acquired a piece of real estate or acquired a home. The chief criticism that is made generally of the establishment of old-age pensions is that it will remove from those who are thinking that possibly they will be participants in the social-security program when they reach old age the incentive to save their money; that it will take away from them the incentive to thrift, and bring about on the part of our people in the future such a frame of mind that they will never want to save any money, for they may say the Government will take care of them when they are old, and therefore it is needless and not desirable to save any money.

That is the stock argument which we hear against the establishment of old-age pensions. Yet, in the measures which we have enacted in the past, by leaving leeway to those who administer the acts, we have done the most important thing to bring about that situation by giving to the administrators the right to say to the old person who has saved a little money and has been able to get for himself and his wife a home worth \$3,000, \$4,000, or \$5,000, that because he has a certain amount of money or of property, therefore he cannot get the pension unless he conveys the title to the Government and gives the property to the Government.

That strikes directly at incentive toward thrift. If, in addition to providing an old-age pension when people get old, we say that he or she must be a pauper in order to get it, then certainly there is no incentive toward saving a little money in order to obtain a home in which to live. Certainly an old man or woman should not be penalized because he or she has been sufficiently thrifty possibly to save sufficient money with which to buy a home for \$2,500, or which at the time it was acquired had a value of \$2,500. So one part of the first amendment provides that an exemption of \$2,500 in real estate shall be allowed, and that that shall not be taken away from the possessor.

The second part of the amendment provides that old people shall be allowed to have \$500 worth of personal property. Here again, while a saving of \$500 may not seem so much to the Members of this body, the saving of \$500 and its possession at the age of 60 or 65 years does seem of importance to a great many people. If we are going to tell these people that they cannot even have \$500 if they are to be eligible to receive the old-age pension, then certainly we are playing right into the hands of those who say that we should not provide any pensions at all because they take away all incentive toward thrift.

I present the proposal not merely upon the basis of humanity. Certainly there is not anything humane in saying to these people, "If you desire to participate you cannot participate if you have \$2,500 worth of real estate or \$500 in cash or personal property of any kind." There is nothing humane about that kind of a provision.

The fact is that those who have administered this act in the past on the basis that it was necessary to show need have assumed that they had a right to say if aged people had anything at all they were not entitled to participate under the act.

The purpose of the first amendment is simply to provide that in determining need the board shall—

Take into consideration the income of an individual claiming old-age assistance, but shall not deny old-age assistance to any individual because he owns real property having a value not in excess of \$2,500 or because he owns personal property having a value not in excess of \$500 or because other persons are under a duty to furnish support to such individual.

Referring to the last part of the amendment, it does not say arbitrarily that the son or the daughter who is in a position to assist the father or the mother may completely evade all

responsibility. It does not completely destroy any responsibility upon the part of the family. But it does say to the social-service worker, "You are not in a position to say to the father or mother, 'You have a son or a daughter who can support you, or could support you, and therefore you must be supported by them.'"

I do not know of anything more cruel than, for example, placing a mother-in-law or a father-in-law on the support of a married son or daughter where there is, as many times happens, severe friction between the daughter-in-law or the son-in-law and the father-in-law or mother-in-law. I know in my State it is the position of the State department which administers the law that if there is any possibility that the son or the daughter or other relative is in a position to take care of the parents, then they are to be arbitrarily cut off.

My amendment takes care of the general situation by permitting and compelling the Administrator to take into consideration the other possible sources of income of the person who is eligible for old-age benefits, but it does not place upon the person administering the law the right to say arbitrarily, "You cannot get any money because of the fact that you have a relative who can and who possibly should take care of you."

Mr. President, I think it is true of perhaps 90 percent of our people that they would not under any circumstances permit their fathers or mothers to secure an old-age pension while they are able to take care of them. However, there is a percentage of people who do not have that attitude of mind, and it is a condition which we all recognize, a condition which we must recognize.

It seems to me that if we are to have a social-security program as a permanent policy in the United States, now is the time to protect against such situations, which result in more dissatisfaction with the measure than any provisions in it relating to money.

The next amendment is, on page 2, line 3, which provides for a determination upon the claim within 30 days of filing application. I do not know how the situation is generally throughout the country. I have mentioned this matter to a number of the Members of the Senate, and those with whom I have discussed it have said that the same situation exists in their States as exists in my own State.

The period of time between the filing of the application and action upon the application extends month after month, and even into a year, and sometimes up to 18 months or 2 years. How very much better it would be for a person who has an application on file which is to be rejected to have it rejected within a reasonable period of time, rather than to have it delayed month after month. I will admit that during the first year of operation there probably was very great justification for delay; but the law has now been in operation sufficiently long so that there is no justification for the administrators of the act to say that an applicant for old-age assistance or an old-age pension cannot have a determination of his application within a period of 30 days after the application is filed. If we make the process speedy, we shall eliminate one of the greatest causes of dissatisfaction. While I am in Washington I receive two or three letters a week from applicants, and when I am at home I have conversations every day with persons who have filed applications for old-age pensions. I am told, "I filed my application last January and nothing has been done about it. Why do you not do something about it?" I explain that the State has control of the operation so far as that question is concerned. The applicant says, "Very well; that may be true, but the Federal Government furnishes half the money, and you represent the Federal Government. Why can you not insist that something be done?"

There is only one way that the Federal Government can insist upon action, and that is to say to the States that if they are to receive money from the Federal Government they must use reasonable speed in the consideration of the applications. I think that question has much to do with the dissatisfaction with the present law.

Mr. LEE. Mr. President, will the Senator yield?

Mr. SCHWELLENBACH. I yield.

Mr. LEE. I intend to support the amendments proposed by the Senator. With respect to the situation just referred to in the Senator's own State, the same situation is true in Oklahoma. However, in justification of those who administer the law it may be said that the case load is so heavy and there are so many more applicants than can be taken care of that the social workers cannot get around to all of them in a short time. As I pointed out yesterday, for every social worker there are perhaps a thousand clients who must be interviewed to find out their economic status. With a thousand clients to each social worker, if the worker gets around even once a year to check the rolls, more than three clients a day must be interviewed. The problem is very difficult. I believe the solution lies in a complete repeal of the State administration, with an outright old-age pension which puts everyone of a certain age on the rolls. After we have sifted them we find many who are not on the rolls, but they are not self-supporting, as the Senator from Washington has just pointed out. They live with relatives. That is not an ideal condition. In other cases they hold jobs which they are unable to perform, and which should be left for younger people to do. The percentage of those who have attained the age of 60 and are able to sustain themselves without jobs is so small that in my opinion an outright pension which would pay everybody 60 years of age a pension would effect a great saving in the machinery of administration, and the universality of the application of the law would result in greater satisfaction.

I appreciate the fact that the Senator voted for the amendment which I proposed yesterday, which would have accomplished the object I have in mind. I presume the Senator is doing as I am doing. If you cannot get a whole loaf, take a half. If you cannot get a red bird, a blue one will do. We should get the best we can out of the law, and improve it all we can. I feel that we have made some advance. We are providing a pension for those who have never had one before, and we are considering a great problem. I wish to say to the Senator that I shall support his amendments, and that I favor the efforts of all Senators who are undertaking to improve the law, which is a complicated statute because we are trying to solve a complicated problem.

Mr. SCHWELLENBACH. I thank the Senator from Oklahoma for the statement he has just made. So far as delay being justified because of the number of applications, I will say that for the first year or year and a half I accepted that argument by the various State agencies and apologized for them. I thought they were doing the best they could. However, I do not think that situation any longer exists. I believe the time has now come, the law having been in operation for a considerable length of time, when it should be possible, and it must be made possible, for those who have applications before the administering agencies to be given a decision upon their applications within a period of 30 days after the application is filed.

The second part of the second amendment refers to claims against the estates of individuals who have been recipients of old-age pensions. It provides that only in cases of fraud may a claim be laid against the estate of an individual. As I pointed out in reference to the first amendment, we are not helping the general cause of social security or the cause of old-age pensions by permitting those who administer the law to take away from those who have a little property the property which they have. If the administrators do not succeed in obtaining the property while the individual is alive, they succeed after he is dead by laying a claim against his estate. Certainly if there is any fraud or deception of the Government on the part of these individuals, the Government is entitled to obtain the property; but, in the absence of fraud, there should not be the constant threat of filing liens against property and laying claims against the estates of individuals.

The third amendment is with reference to the question of age, and reduces the age limit from 65 to 60. Those who are familiar with the long movement in this country in behalf of old-age pensions know that in the beginning it was

anticipated that the age of 65 was probably the proper age at which the payment of old-age pensions should commence. I think undoubtedly 20 or 25 years ago that was the proper age. However, anyone familiar with economic and industrial conditions in the country and the changes which have taken place in the past 20 years must recognize that there has been a direct relationship between the general changes and the age at which people are no longer able to work. There is, and has been, a terrific movement in the country toward the substitution of machinery for the labor of individuals. I remember reading a survey of the automobile industry, made in 1934. It was made as a result of the National Industrial Recovery Act. The findings of the committee showed that in the production of automobiles the average age of those employed was 31 years, and that young men coming into the automobile industry at an early age were unable to carry on their work after they had reached the age of about 35.

There has been a very definite and very certain reduction in the age at which people are eligible for employment. I do not think that the reduction in age from 65 to 60 would mean any material loss to the Treasury of the United States. I do not think it would materially increase the expenditures which the Federal Government and the local governments must make, because I think the facts conclusively show that those who would be eligible under the reduction in the age limit and who would participate in an old-age pension between the ages of 60 and 65 are those who are already securing assistance from some form of relief or work relief, in many instances in a larger amount than the amount which they would receive under an old-age pension. We shall very shortly reach the time when we must recognize such a change in our industrial and economic forces as to require that those above the age of 60 be recognized as eligible for old-age pensions, old-age benefits, and old-age assistance.

It seems to me that all three of the amendments which I have introduced, and which I am now asking the Senate to adopt, go to a point which has created more friction, more dissatisfaction, and resulted in more aggravated cases of complaint than any of the other questions involved in the policy of social security. In my opinion, the adoption of these amendments is absolutely essential, not merely to prevent what was described yesterday as a threat of something which would involve much more money than the Social Security Act. I think that unless we take care of the situations involved in my amendments we shall see a breakdown of the social-security system in this country.

I urge that the Senate adopt the three amendments, which may seem to be minor in importance, but which, nevertheless, reach points which are more likely to cause trouble than any other points in the whole system.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Does the Senator desire to have the amendments voted upon en bloc?

Mr. SCHWELLENBACH. Yes; Mr. President.

Mr. HARRISON. Mr. President, the amendments of the Senator from Washington were considered by the Finance Committee, but did not receive the approval of the committee. We felt that eligibility for assistance to needy aged people was a question for determination by the States. That was the theory upon which the legislation was first passed; and if we now start to make a change, the problem will be constantly before us.

I hope the amendments will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Washington [Mr. SCHWELLENBACH].

The amendments were rejected.

Mr. WAGNER. Mr. President, there is an amendment at the desk which I now offer for the consideration of the Senate.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 119, at the end of the bill, it is proposed to insert the following:

Sec. 908. (a) There is hereby authorized to be established by the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, in cooperation

with the Social Security Board, an Advisory Council on Unemployment Insurance, representing employers, employees, and the general public, to study and report to said committee on the following matters concerning unemployment insurance:

1. Scope and coverage.
2. Amount, character, duration, and qualification for benefits.
3. Advisability and nature of individual employer and State unemployment experience ratings for tax purposes.
4. Size, character, adequacy, and disposition of reserves.
5. Source, character, and method of financing.
6. Coordination of unemployment insurance with relief, work relief, and other programs for alleviating economic distress among the unemployed.
7. Pertinent experience in the operation and administration of existing unemployment-insurance laws.
8. Any other matters which either of the above-mentioned committees or the Social Security Board may deem relevant to the inquiry.

(b) The Social Security Board shall furnish all necessary technical assistance in connection with such study.

Mr. WAGNER. Mr. President, the amendment I have just offered establishes an Advisory Council to study and report on the problem of unemployment insurance in the United States, with a view to improving and perfecting the provisions of the Social Security Act in that regard. The amendment was submitted to the Committee on Finance. Although it was too late to be included in the committee report, the amendment has received the unanimous approval of the committee.

Mr. HARRISON. Mr. President, the Senator is correct. The Finance Committee authorized me to accept the amendment when the Senator from New York offered it. So it has the approval of the Finance Committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. WAGNER].

The amendment was agreed to.

Mr. WAGNER. Mr. President, I offer another amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of the bill, following the amendment last agreed to, it is proposed to insert the following:

Sec. 909. (a) There is hereby authorized to be established by the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, in cooperation with the Social Security Board, an Advisory Council on Disability Benefits, representing employers, employees, and the general public, to study and report to said committees on the establishment of disability benefits under the Social Security Act as amended, with particular reference to the following:

1. Relationship of disability insurance to other forms of social insurance.
2. Scope and coverage.
3. Amount, character, duration, and qualification for benefits.
4. Source, character, and method of financing.
5. Pertinent experience in the operation and administration of existing disability-insurance systems, public and private.
6. Coordination of disability insurance with relief and other programs for alleviating economic distress among the disabled.
7. Rehabilitation services.
8. Any other matters which either of the above-mentioned committees or the Social Security Board may deem relevant to the inquiry.

(b) The Social Security Board shall furnish all necessary technical assistance in connection with such study.

Mr. HARRISON. Mr. President, the purpose of this amendment is similar to the purpose of the amendment just offered by the Senator from New York and approved by the Senate, except that it relates to disability benefits.

Mr. WAGNER. The amendment authorizes a similar Advisory Council to study and report on the establishment of disability benefits under the Social Security Act as amended. Payment of such benefits in connection with the old-age-insurance system has already been approved in principle by the Advisory Council which reported last December.

Mr. HARRISON. There is no objection on the part of the committee to the acceptance of this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. WAGNER].

The amendment was agreed to.

CONVEYANCE OF CERTAIN EASEMENTS TO NEW YORK CITY

Mr. WAGNER. Mr. President, I have conferred with the leaders in regard to the matter which I am about to bring to the attention of the Senate. There is upon the calendar a bill for the consideration of which I ask unanimous consent. It is Calendar No. 825, Senate bill 2662. If it is to be of any use at all, the bill must be passed now.

There is in contemplation the construction of a bridge in New York City from the lower side of Manhattan to the Borough of Brooklyn. There are certain easements necessary in order to permit the construction work to proceed. The bill authorizes the Secretary of the Treasury to convey an easement over certain properties which are now occupied by the Federal Government. The city of New York has agreed, in consideration of the granting of the easements, to convey to the Federal Government certain properties which may be utilized in lieu of certain Federal properties the use of which will be interfered with by the construction of the bridge.

Mr. AUSTIN rose.

Mr. WAGNER. I have submitted the bill to the Senator from Oregon, I may say to the Senator from Vermont, who carefully went over it with me and expressed approval of it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. NEELY. Mr. President, I inquire of the Senator from New York whether he thinks there is any probability of the consideration of the bill leading to any debate?

Mr. WAGNER. Not at all. I cannot imagine any objection at all to the bill.

Mr. AUSTIN. Mr. President, I inquire of the Senator from New York if hearings were held on the bill?

Mr. WAGNER. There were no hearings held, but there is at hand a letter from the Secretary of the Treasury, in which he explains the provisions of the bill, and expresses his approval. The reason there is need for haste, I may say to the Senator, is that until this measure shall have been passed and approved nothing further can be done by the city of New York toward prosecuting the construction of the bridge.

Mr. AUSTIN. Did the Committee on Public Buildings and Grounds consider the bill?

Mr. WAGNER. They have considered it; yes.

Mr. AUSTIN. In a meeting?

Mr. WAGNER. I am not a member of the committee and cannot therefore state as to that, but it was unanimously reported by the committee, I understand. A similar bill has been reported by the committee having jurisdiction in the other House, and I understand it is about to be passed by that body.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2662) authorizing the Secretary of the Treasury to convey an easement in certain lands to the city of New York, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to convey to the city of New York upon such terms and conditions and for such consideration as, in his absolute discretion, he may deem to be to the best interests of the United States, an easement to construct and maintain a bridge for highway purposes over and across the land comprising the Barge Office site at or near Battery Park, Borough of Manhattan, New York City, being the same premises conveyed to the United States by letters patent from the State of New York, February 5, 1867, recorded April 13, 1867, in the office of the register of the county of New York, in Liber 1007 of Conveyances at page 157; deed from the mayor, aldermen, and commonalty of the city of New York to the United States, dated March 30, 1867, recorded April 13, 1867, in the office of the register of the county of New York, in Liber 1007 of Conveyances at page 158; and deed from the mayor, aldermen, and commonalty of the city of New York to the United States, dated June 7, 1879, recorded June 9, 1879, in the office of the register of the county of New York, in Liber 1498 of Conveyances at page 82.

AMENDMENT OF SOCIAL SECURITY ACT

The Senate resumed the consideration of the bill (H. R. 6635) to amend the Social Security Act, and for other purposes.

Mr. DOWNEY obtained the floor.

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Mr. GEORGE. Mr. President, will the Senator from California be good enough to yield to me to offer two amendments, which I think will occasion no debate? If they should, I will withdraw them, so that the Senator from California may proceed.

Mr. DOWNEY. I yield.

Mr. GEORGE. I offer an amendment that has been approved by the committee. It relates to the revenue act, but the amendment is very brief and self-explanatory.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of the bill following the amendment last agreed to it is proposed to insert the following new section:

SEC. —. Subsection (d) of section 602 of the Revenue Act of 1936, as amended (relating to floor stocks adjustment), is amended by striking out "January 1, 1937" and inserting in lieu thereof "January 1, 1940."

Mr. KING. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. KING. Obviously this is a matter dealing with the revenue, and I was wondering whether it is appropriate to be attached to the pending bill and whether or not it will provoke a controversy with the other House?

Mr. GEORGE. I do not think so, I will say to the Senator, because it was intended by an amendment which was adopted to the Revenue Act to cover this particular matter. It was more by inadvertence than otherwise that it was omitted. The matter was submitted to the Committee on Finance, and the committee in considering the Social Security Act authorized the amendment to be offered from the floor.

Mr. KING. What is the purpose of the amendment? I was not in the committee when the matter was under consideration.

Mr. GEORGE. I will explain it in a word. The amendment is to give merchants holding floor stocks the same period within which to file claims for refunds as was given to processors by the amendment to the recent Revenue Act. This group was overlooked when the tax bill was under consideration.

Mr. KING. Would this meet with the approval of the Treasury Department?

Mr. GEORGE. I do not know. The Finance Committee adopted an amendment to the revenue act extending the time within which those who had paid the tax might file claims for refunds. This amendment simply permits a merchant who has the goods on hand to have the same period within which to file his claim for refund.

Mr. KING. Is there any considerable number of those who would avail themselves of the benefits of this provision?

Mr. GEORGE. Yes; there are a considerable number, but their claims are very small as a rule, and, under the rigid requirements of the law, very few of them can prove that they have not passed on the tax.

Mr. KING. I shall not object, but I regret that it has not been considered more carefully.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. GEORGE. Mr. President, there is another revenue matter embodied in the amendment which I am offering on behalf of the Senator from Maryland [Mr. TYDINGS], who is not present in the Chamber. While some technical language is used in the amendment, I should be very glad in one or two sentences to explain what its purpose is.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. At the end of the bill following the amendment last agreed to it is proposed to insert a new section, as follows:

SEC. —. (a) The provisions of section 213 (f) of the Revenue Act of 1939 shall apply without regard to the exception therein provided, if (1) the taxpayer in the determination referred to in such exception is a corporation; (2) such determination is by a decision of the Board of Tax Appeals or of a court; (3) under the law applicable to the taxable year in which the exchange occurred, the basis of the property, acquired upon the exchange from the

taxpayer by the party assuming a liability of the taxpayer or acquiring the property subject to a liability, is the cost to such party of the property acquired upon the exchange; and (4) the taxpayer in pursuance of the plan of reorganization effected a complete liquidation immediately subsequent to the exchange.

(b) No overpayment determined to have been made for any taxable year by reason of the provisions of paragraph (a) of this section shall be refunded or credited unless a claim for refund is filed within the period of limitations otherwise provided by law for filing a claim for refund for such taxable year, or within 1 year from the date of enactment of the Revenue Act of 1939, whichever of such periods expires the later.

Mr. GEORGE. Mr. President, considerable technical language is used in the amendment, it being necessary to use it in order effectively to amend the revenue act so as to meet the situation in contemplation. The amendment applies only to one single instance, and is intended to apply to only one case that was discussed at very great length by the Finance Committee at the time the revenue act was under consideration. It simply permits one taxpayer the privilege of filing a claim for refund, although there had been a final court decision in his case. Inasmuch, however, as the Government itself asked that the rule which had resulted from the decision favorable to the Treasury should be abrogated for all other taxpayers by an amendment to the revenue act, it was deemed just and equitable that it be abrogated in the case which actually went to final adjudication. That is, the decision being favorable to the Treasury, and the Treasury asking that the decision be upset, it was felt that this condition presented a strong equitable reason for offering this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia.

The amendment was agreed to.

Mr. HARRISON. Mr. President, will the Senator from California yield to me to offer some clarifying amendments?

Mr. DOWNEY. I yield for that purpose.

Mr. HARRISON. I wish to offer certain amendments which are clarifications of certain language which appear in the bill. One is on page 47, line 2. I send the first amendment to the desk and ask to have it read by the clerk.

The PRESIDING OFFICER. The amendment offered by the Senator from Mississippi will be stated.

The CHIEF CLERK. On page 47, line 2, it is proposed to insert the following new sentence:

In any case where an individual has been paid in a calendar year \$3,000 or more in wages, each quarter of such year following his first quarter of coverage shall be deemed a quarter of coverage, excepting any quarter in such year in which such individual dies or becomes entitled to a primary insurance benefit and any quarters succeeding such quarter in which he died or became so entitled.

Mr. HARRISON. Mr. President, the change from an annual to a quarterly basis for eligibility requires that an individual be paid \$50 in wages in a quarter for the quarter to be counted toward eligibility. Wages is a defined term and does not include salary in a year after the first \$3,000 is paid. Accordingly an individual receiving \$12,000 a year might, under the definition, have only one quarter of coverage in the year because all the part of his salary which could be counted as wages was paid in the first quarter. Under the amendment he would also have the succeeding three quarters in the year counted as quarters of coverage. This is merely a clarifying amendment to remove any possible ambiguity in this type of situation.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was agreed to.

Mr. HARRISON. I offer another amendment, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 111, line 15, it is proposed to strike out the word "No" and insert "Except as provided in section 906, no."

Mr. HARRISON. This technical amendment is necessary because the new section 906 inserted by the Finance Committee affects the Railroad Unemployment Insurance Act, and would therefore be in conflict with the language con-

tained in this section unless the exception clause were inserted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was agreed to.

Mr. HARRISON. I offer another amendment, which I send to the desk and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 116, line 14, it is proposed to strike out the words "effective January 1, 1939," and insert in lieu thereof the following: "as of the effective date thereof, and paragraph (4) of section 811 (b) of the Social Security Act is repealed as of January 1, 1939."

Mr. HARRISON. Mr. President, the repeal of paragraph (4) of section 1426 (b) of the Internal Revenue Code as of January 1, 1939, failed to take into account the fact that the Internal Revenue Code became effective subsequent to that date, with the result that the corresponding provision of the Social Security Act which was operative until the code became effective technically may remain in force. The amendment makes clear that paragraph (4) of section 811 (b) of the Social Security Act is repealed as of January 1, 1939, and that the corresponding but subsequent provision of the Internal Revenue Code is repealed as of its effective date.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was agreed to.

Mr. HARRISON. I offer another amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 119, after line 23, it is proposed to insert the following:

Sec. 909. Subsection (h) of section 5 of the Home Owners' Loan Act of 1933, as amended, is amended by inserting after the words "United States", where they first appear in such subsection, the following: "except the taxes imposed by sections 1410 and 1600 of the Internal Revenue Code with respect to wages paid after December 31, 1939, for employment after such date."

Mr. HARRISON. Mr. President, this amendment would include under the Social Security Act certain Federal savings-and-loan associations affiliated with the Federal home-loan banks, which would otherwise be excluded from the old-age insurance, the Federal insurance contributions act and the Federal unemployment tax act provisions of the bill as passed by the House, since under the Home Owners' Loan Act they are exempt from all taxes imposed by the United States.

Many savings and building-and-loan associations and their employees are covered under the Social Security Act at present. It is only those which have become affiliated with the home-loan bank which are exempt, it having been determined that they are instrumentalities of the United States. The bill as passed by the House narrowed this exclusion to such instrumentalities as are wholly owned by the United States or are exempt from taxes by other provision of law and accordingly failed to include these Federal savings-and-loan associations.

There seems to be no sound reason for excluding from the benefits of the Social Security Act employees of a building or savings-and-loan association merely because the association has organized itself as a Federal savings and loan association. Moreover, the present provision of the bill would permit those associations otherwise included to avoid coverage by becoming affiliated with the Home Loan Bank Board.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Mississippi.

The amendment was agreed to.

Mr. HARRISON. Mr. President, those are all the clarifying amendments that I have to offer. The Senator from Vermont [Mr. Austin] has an amendment dealing with a subject which, I am informed, is already covered; but if he feels that there is any doubt about it, I am perfectly willing, so far as I am personally concerned, to accept his amend-

ment and let it go to conference. I think the farmers referred to by him already come in the excluded class in the bill.

Mr. AUSTIN. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 48, line 14, after the comma, it is proposed to insert the following:

Or in salvaging timber or clearing land of brush and other debris left by a hurricane.

On page 74, line 12, after the comma, it is proposed to insert the following:

Or in salvaging timber or clearing land of brush and other debris left by a hurricane.

On page 103, line 16, after the comma, it is proposed to insert the following:

Or in salvaging timber or clearing land of brush and other debris left by a hurricane.

Mr. AUSTIN. Mr. President, in a word, all three of these amendments affect the definition of agricultural labor.

I ask unanimous consent to have inserted in the RECORD at this point, for the use of the Senate and of the conferees, some correspondence which shows the background and the need for these amendments:

First, a letter from me to E. W. Tinker, Acting Chief of Forest Service, dated January 5, 1939.

Second, a letter from Payson Irwin, special assistant to acting administrator, Northeastern Timber Salvage Administration, to me, dated January 7, 1939.

Third, a letter from Guy T. Helvering, Commissioner, to me, dated January 26, 1939.

This correspondence shows the necessity for these amendments and the policy of the amendments.

The PRESIDING OFFICER. Without objection, the letters will be printed in the RECORD.

The letters are as follows:

JANUARY 5, 1939.

E. W. TINKER, Esq.,

Acting Chief of Forest Service, Washington, D. C.

DEAR MR. TINKER: Referring again to the question whether the work of salvaging the wind-thrown timber and clearing of land of debris caused by the hurricane in New England properly falls within the exemptions from taxation of employers and employees:

The presentation of the claim of the farmers of New England, made on behalf of Vermont and New Hampshire this morning, that all of this work which is necessary and incidental to restoration of the land to agricultural use constitutes agricultural labor, resulted in a request for further evidence to be furnished to the Social Security Unit of the Internal Revenue Bureau.

Therefore, will you please furnish me with such facts as you can regarding the following points:

(1) Whether individuals cutting and clearing are in the employ of a farmer or of a contractor;

(2) Whether the services are performed on or around the land of the employer, or whether they are performed for an employer who clears the land for others.

(3) Whether any of the employees are in the employ of the Government agency, Northeastern Timber Salvage Corporation, which is a subsidiary of the Surplus Commodities Corporation that will issue the invoices for logs and lumber on which farmers can obtain an advancement of 80 percent of the value of the salvaged logs. (The Surplus Commodities Corporation is financed for this purpose with money borrowed from the Reconstruction Finance Corporation.)

(4) Another question asked is: Are the millers who do the sawing, contractors, or do they serve only as a link in the operation of clearing the land?

(5) If it is proper that we be furnished with a copy of the type of contract used in both the delivery of logs and the sawing of logs, we should like to have it.

Our attention was called to a ruling, S. S. T. 289:

"Services performed by an employee on land owned or tenanted by his employer in the removal of stumps, brush, etc., for the purpose of preparing the land for use as an orchard constitute 'agricultural labor' within the meaning of titles VIII and IX of the Social Security Act. However, services performed on such land in cutting, sawing, and preparing timber for market do not constitute 'agricultural labor' and are not excepted from 'employment' under the act."

This syllabus is prefixed to a report of a case which clearly differs from the salvaging project we have under consideration.

I believe that we can get a prompt decision by the unit after furnishing the required details regarding the mechanics of both timber removal and fire prevention.

Thanking you for your courteous assistance, I am,

Sincerely yours,

WARREN R. AUSTIN.

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, January 7, 1939.

HON. WARREN R. AUSTIN,
United States Senate.

DEAR MR. AUSTIN: Reference is made to your letter of January 5. The question of the payment of the social-security tax on labor employed in salvage work in New England was brought to my attention about 10 days ago, and after a discussion over the telephone with Mr. Paul, of the Social Security Unit of the Internal Revenue Bureau, I arranged with our Boston office to have two test cases put before the collector of internal revenue in Vermont and rushed to the Washington office for a ruling.

It seems obvious that logging contractors are under the social-security law, but the case of the farmer who may employ one or two men to aid him in salvaging the hurricane-felled timber should not be subject to the social-security tax. Agricultural labor is not so taxed. A farmer might presumably employ a laborer on his farm, but a part of the farm work would be work in the woodlot, which, under modern practices of forestry, would require that a certain amount of thinning of the stand would be done each year. If the trees cut were merchantable, such cuttings would constitute produce from the farm, and the laborer's wages should not be taxed. Under the present hurricane disaster conditions in certain areas in New England, this farmer might need to employ several men to aid him in reducing fire-hazard conditions in his woodlot, but in that process he would find many logs which the Government stands ready to purchase. Under the present ruling by the Social Security Unit, this farmer would be subject to tax.

The first two questions in your letter, I believe, are answered by the above statement.

Your third question asks whether any employees of the Northeastern Timber Salvage Administration are engaged in logging operations. The Salvage Administration stands in the relation of a purchaser of logs delivered to certain storage points. The logging operations are carried on either directly by the timber owner or by a contractor employed by the owner or contracted for by the owner.

In answer to question 4, the Salvage Administration, after the logs are purchased, is making contracts with sawmill operators to process the logs. Consequently the milling operation lies completely outside of the logging operations.

Our sawmill contract is undergoing a complete revision. As soon as it has been completed I shall be very glad to send you a copy. The agreement entered into by the Salvage Administration with the timber owner will be sent you as soon as I can secure copies from the Boston office.

I trust this gives you the information you wish, but I shall be glad to have you call on me at any time for anything further you may wish.

Very sincerely yours,

PAYSON IRWIN,
*Special Assistant to Acting Administrator,
Northeastern Timber Salvage Administration.*

TREASURY DEPARTMENT,
Washington, January 26, 1939.

HON. WARREN R. AUSTIN,
United States Senate.

MY DEAR SENATOR: Receipt is acknowledged of your letter dated January 10, 1939, addressed to Assistant Deputy Commissioner Self, in which the views of the Bureau are requested as to the status under the taxing provisions of the Social Security Act of services performed in connection with the salvaging of timber and clearance of land of brush and other debris left by a recent hurricane. There was transmitted with your letter a communication dated January 7, 1939, from Mr. Payson Irwin, special assistant to Acting Administrator, Northeastern Timber Salvage Administration, containing certain information relating to the manner in which the aforementioned activities are conducted. It is contended that all services performed by employees of farmers in connection with such activities are excepted from "employment" as "agricultural labor" within the meaning of those terms as used in titles VIII and IX of the act. This matter was also the subject of a conference held in the office of Assistant Deputy Commissioner Self on January 5, 1939, at which you and Senator Bridges, of New Hampshire, were in attendance.

You are advised that article 6 of Regulations 91, issued pursuant to title VIII of the act, reads as follows:

"The term 'agricultural labor' includes all services performed—

"(a) By an employee, on a farm, in connection with the cultivation of the soil, the raising and harvesting of crops, or the raising, feeding, or management of livestock, bees, and poultry; or

"(b) By an employee in connection with the processing of articles from materials which were produced on a farm; also the packing, packaging, transportation, or marketing of those materials or articles. Such services do not constitute agricultural labor, however, unless they are performed by an employee of the owner

or tenant of the farm on which the materials in their raw or natural state were produced, and unless such processing, packing, packaging, transportation, or marketing is carried on as an incident to ordinary farming operations as distinguished from manufacturing or commercial operations.

"As used herein, the term 'farm' embraces the farm in the ordinarily accepted sense and includes stock, dairy, poultry, fruit, and truck farms, plantations, ranches, ranges, and orchards.

"Forestry and lumbering are not included within the exception granted by section 811 (b)."

The provisions of article 206 (1) of Regulations 90, issued pursuant to title IX of the act, are substantially similar to the above-quoted provisions of article 6 of Regulations 91.

In view of the foregoing, the Bureau has no alternative but to hold that services performed in connection with the cutting of timber and its preparation for market do not constitute "agricultural labor" for purposes of the taxing provisions of the Social Security Act, irrespective of the fact that such services may be rendered in the employ of farmers or that they may be performed, in part, for the purpose of reducing fire hazards.

The conclusion reached with respect to the services rendered in connection with the cutting of timber and its preparation for market is, for the same reasons, applicable to services performed in connection with the removal of brush and other debris from timberlands since, under the circumstances, such activity would appear to be carried on as a part of the lumbering operations. While the facts submitted are not sufficiently complete to enable this office to rule definitely upon the status of services performed in connection with the removal of brush and other debris from lands that are used for ordinary farming operations, it would appear that such services are excepted from "employment" as "agricultural labor" since they are incidental to ordinary farming operations, provided, of course, that such services are rendered in the employ of the owner or tenant of the farm upon which they are performed.

The letter dated January 7, 1939, from Mr. Irwin is returned, a copy having been made for the files of this office.

In the event further correspondence relative to this matter is necessary, please refer to the symbols A&C: RR: 3.

Very truly yours,

GUY T. HELVERING, *Commissioner*.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN].

The amendment was agreed to.

Mr. DOWNEY. Mr. President—

Mr. LUCAS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Frazier	La Follette	Schwellenbach
Andrews	George	Lee	Sheppard
Ashurst	Gerry	Lodge	Shipstead
Austin	Gibson	Lucas	Slattery
Barbour	Gillette	Lundeen	Smith
Barkley	Glass	McNary	Taft
Bilbo	Green	Maloney	Thomas, Okla.
Bone	Guffey	Mead	Thomas, Utah
Borah	Gurney	Minton	Tobey
Bridges	Hale	Murray	Townsend
Bulow	Harrison	Neely	Tydings
Byrd	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Chavez	Herring	O'Mahoney	Wagner
Clark, Idaho	Hill	Overton	Walsh
Clark, Mo.	Holman	Pittman	Wheeler
Danaher	Holt	Radcliffe	White
Davis	Hughes	Reed	Wiley
Donahay	Johnson, Calif.	Reynolds	
Downey	Johnson, Colo.	Russell	
Ellender	King	Schwartz	

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. DOWNEY. Mr. President, I wish now to move to recommit the social-security amendments to the Finance Committee for further study of the whole pension and savings field, with the objective of enacting a proper national pension law for the senior citizens of America. In support of the motion I desire to discuss the issues here involved under three divisions.

I first want to convince the Senate of the United States that the present Social Security Act, with the amendments proposed, is so unworkable and so unjust and so unfair that it should fall by its own weight, and should not receive the support of any Senator.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. I should like to recall that the day after the Social Security Act was passed in the House of Representatives I delivered a speech on the subject, Social Insecurity. That is all we have had out of the law, social insecurity.

Mr. DOWNEY. I appreciate the contribution of the Senator, and I agree with him that the law should rather be entitled "Unsocial Insecurity" than "Social Security Act."

In the second place, Mr. President, I desire to attempt to show to this body that a State-Federal matching system is wholly futile compared with a wholly national plan, and under that heading I shall discuss the features of the so-called Townsend plan, which would bring relief to millions upon millions of despairing citizens between 60 and 65 years of age who are now unemployed, humiliated, and degraded, facing insecurity and poverty. I shall attempt to show that an act should be passed paying social dividends as a matter of right, not as a matter of cheap charity, to everyone past 60 years of age not gainfully employed, and that the money therefor should not come from an expanding public debt, which we all know will soon crash our credit, and with it our economy, but from a proper consumptive tax, equivalent at least to about 2 percent of the bulk of our business transactions.

Mr. President, as a third point I shall attempt to show that not only is the Townsend plan justified as strictly a relief measure, but that our economy is collapsing because of lack of consuming power; that it is collapsing because of an excess of savings; that at least 90 percent of the economists in Washington today agree that our economy crashed in 1929 because of stagnant savings, that our economy crashed in 1937 because of excessive savings, and that it will crash within the immediate future whenever we balance the Public Budget, or, at the best, even though we do not do so, within a very few years, and that we must move forward to provide a system of savings or pensions for our senior citizens which will provide the purchasing power so that our young people may work, and so that, in lieu of savings, our senior citizens may have purchasing power upon which to live in dignity and security.

Let us first consider the Social Security Act as it now stands, with the amendments proposed and accepted by this body. I say that it is a law which should not receive the vote of a single Senator, and I do not believe it would if the Senators fully realized its futility and injustice. I am speaking now only upon two phases of the Social Security Act: First, that designed to pay pensions to workers past 65 years of age. That branch of the law falls into two divisions: First, payments to workers in covered occupations after they are 65, flowing from contributions made upon the basis of the pay rolls—2 percent for the present; 6 percent within a few years. The other section of the bill is the old-age assistance division, which we have discussed so much here within the last 2 or 3 days, which now, as the bill stands, provides for a maximum contribution by the Federal Government up to \$20, to be matched by the States with an equal amount.

Mr. President, I venture to say that never before has so illogical and absurd a law been proposed in this body. How does it operate? It operates in such a way that the workers in the covered occupations, who will have 6 percent of their salaries taken away from them in the immediate future, and in the far-distant future will receive about one-half the payments we will make to other pensioners as a matter of charity or governmental subsidy.

There may be some Senator who can justify that. If there is, I wish he would make a statement to the workers of the Nation; I wish he would here and now declare the justice of a law which penalizes men who contribute compared with those who receive governmental subsidies. If there is any Senator who is willing to face the workers of America in the covered occupations, who are to pay 6 percent of their salaries for old-age insurance, and then in the immediate present receive about one-half what is now paid as

a matter of charity and one-half of what he can look forward to in 40 years, I think the defense of the law should be made by some leader in this body who believes in it.

Mr. President, let me show what we, the Senators from California, must explain to our citizens when we return to report on this law. The Social Security Board estimates that in 1942 the workers in the covered occupations will receive an average of \$26.85. It is my firm opinion that that is much too optimistic. I have had independent investigation made, and I do not believe the workers in the covered occupations will receive more than \$22 or \$23 in 1942 as an average. But, in order to avoid argument on that point, I am going to take the average contributions which will be received by the more poorly paid 80 percent of the workers in the covered occupations, which, upon the most optimistic basis, would be between \$19 and \$20. Those figures apply to the 80 percent of the more poorly paid workers in the covered occupations.

Consequently, we from California must return to the State of California and report to organized labor and to the workers in the covered occupations of California that, commencing in 1942, if they are 65 years of age and otherwise qualified, they will receive an average of \$20 under the proposal here pending; yet we automatically in California, under the amendment lifting the Federal contribution to \$20, will be paying \$40 to each and every individual past 65 years who qualifies. In other words, the leaders of the majority party are asking this body to ratify a measure which will give one-half as much to the workers in the covered occupations in 1942, if they are single, as we will now give as a matter of governmental subsidy.

But that is not the worst of it. The measure is even more grotesque and absurd. Let us consider it further. If under the contributory act the worker is 65 years of age, and is married to a wife who is past 65 years, his allotment under the proposed amendments would be 50 percent greater, or \$30. But in the State of California, as in every other State in the Union, and under the rules of the Federal Government, in making contributions for charity we give the full amount to both husband and wife, so the measure would automatically give to those in California receiving what may be called charity pensions who are both married and past 65, the sum of \$80, while we give to the workers of the Nation who are contributing, oh, so generously, the sum of \$30. Could anything—I appeal to Senators—be more unfair and grotesque to the workers of the Nation?

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. VANDENBERG. In other words—and I am now agreeing completely with the Senator's challenge—the only way you can approach equity between these two things is by State penury in respect to old-age assistance?

Mr. DOWNEY. The Senator is absolutely correct. We could only bring about any equality between the two different groups under this law by the State of California—and I might say almost every other State in the Union—reducing its contributions to its aged citizens.

Mr. LUNDEEN. Mr. President, will the able Senator yield?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. The reference by the distinguished Senator from Michigan [Mr. VANDENBERG] to the word "penury" recalls that the able Senator from California is the author of a book entitled "Pensions or Penury"?

Mr. DOWNEY. Yes, sir.

Mr. LUNDEEN. I should like to call Senators' attention to that book. Some Senators no doubt have read it. In my opinion it is one of the most able statements on the present day old-age problem. It is one of the most able expositions of social security that has come to my attention. The title of the book is "Pensions or Penury," and I sincerely hope that Senators and citizens generally will read and follow the conclusions of the junior Senator from the great State of California.

Mr. DOWNEY. I am very appreciative of the very courteous words used by the Senator in calling attention to my book. I may say that I have sent a complimentary copy to all Senators and many of the Representatives, and I am glad to report that most of them have done me the honor to read it.

Mr. President, the measure before us has been held up by some as providing a liberalization of the present Social Security Act, and I think a majority of Senators believe they are at least making some small step forward by the enactment of the measure.

Mr. President, nothing could be more false than such a belief. When I was engaged in the practice of law there was an aphorism I used to employ that "figures do not lie but liars figure." What is the justification for a rather harsh remark of that kind? It has been stated—and I am not criticizing the press for it—that this measure will provide a liberalization, and particularly in relation to a married man, who will receive 50 percent more than the single man. I may say that that statement is true, but let us test it and see how fallacious is the statement as a whole. Under the existing law, Mr. President, if a worker in a covered occupation for 40 years without missing 1 day earned \$100 on an average every month, and paid the 6 percent designed by the law, when he was 65 years of age he would, under the present law, regardless of his marital status, receive \$52.50. We, representing the Townsend groups, thought \$52.50 was too low for a man who had given up 6 percent of his salary for 40 years, and never missed a single month's work. But this measure reduces that payment 50 percent, or down to \$35. And there is a corresponding reduction in the payments to be made to every worker in the covered occupations after the lapse of 10 years. In other words, this is not a liberalization. It is a long step backward, further into the land of poverty and degradation and degeneracy.

Mr. President, under the proposed law, the single man receives \$35 and the married man 65 years of age, whose wife is also 65, receives 50 percent more, or \$52.75, or 25 cents more if married to a woman past 65 years than he would get under the present law. That is liberalization!

A man who is married, under the proper conditions, will get 25 cents more than under the present law, and a single man will get 50 percent less; and if I am wrong, there are able gentlemen here who can challenge my statements.

That is not the worst of it. The gentlemen who drafted and presented this measure, Mr. President, know that there will not be 1 citizen out of 100 who will ever get the benefit of that 50-percent increase. I do not think one Senator within the sound of my voice realizes that, and yet it is true. Why is it true? The law says that not only must the man be 65 years of age but he is entitled to the increase only if his wife is 65. That is a joker that would have done credit to an insurance-company actuary, because most men who are still married, many of them having remarried, at 65 have wives who are 5 or 10 years younger; consequently, only a limited proportion will get the benefit of it.

Not only that, but when men reach 65 years of age Heaven has taken from almost half of them their helpmates, their wives, and they are not married at all.

That is not the only joker.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. SCHWELLENBACH. Would the Senator mind at that point saying whether or not there is a distinction between an unmarried man of 65 and a married man whose wife is, say, 60 or 64 years—under 65 years of age?

Mr. DOWNEY. I am not aware of any distinction. Is the Senator?

Mr. SCHWELLENBACH. No. I was simply inquiring.

Mr. DOWNEY. No; I know of no distinction. If the wife was 60 years of age and the husband 65, they would get the \$35 in one of the most favorable cases. Mr. President, I want it understood that hardly any of them will ever get

\$35 or \$52.50; that is, presuming that a man has been in a covered occupation, and never missed one pay roll, at an average pay of \$100 per month, he probably will not receive enough to live on. I am merely using the figures given by the Social Security Board—the most favorable figures.

In Mr. Doughton's report is a statement which I presume comes from the Social Security Board, and I submit that it ought to be embalmed as one of the most extraordinary platitudes of asininity that has ever been published in the CONGRESSIONAL RECORD or in our public files, because these gentlemen know that that 50-percent increase for married workers whose wives are past 65 means practically nothing, and they finally admitted that it will not cost any more. Why? Because there may not be one citizen out of 100 who will get the advantage of it.

They suggest another reason why this particular benefit is still more vital in its application, and I want to quote to the Senate from the Doughton report. I am now quoting:

The supplementary benefit payable an aged wife is one-half the primary insurance benefit of the annuitant.

Now listen—

Because most wives in the long run will build up wage credits on their own account as a result of their own employment these supplementary allowances will add but little to the ultimate cost of the system.

I said I was going to read the most extraordinary platitudinous language that has, I think, ever been uttered by a responsible social body, and here it is. These gentlemen are speaking—and I am still quoting—about the benefits that will flow from this great liberalization by which the married worker will receive 50 percent more than the single worker, and they finally admit that it will mean nothing in dollars and cents, but they say nevertheless it is of great importance. Let us read their own language:

These supplementary allowances will add but little to the ultimate cost of the system. They will, on the other hand, greatly increase the adequacy and equity of the system—

How?—

by recognizing that the probable need of a married couple is greater than that of a single individual.

In other words, this law adds to the adequacy and equity of the system, because it recognizes that it costs more for two to live than for one. As a matter of fact, assuming that that is a benefit, and is not known to every man, woman, and child in the United States today, it is the only benefit which will accrue from the great liberalization for not more than 1 percent of our citizens past 65 years of age.

Mr. President, the law has other features which are so unfair and unjust to the workers of the Nation—who some day, I feel sure, will learn about them—that it should be rejected.

Again quoting the figures concerning a man who has an average monthly payment of \$100 for 40 years in a covered occupation, if a man earns \$100 monthly for 5 years, he receives \$26.25. If he works double that time, or for 10 years, does he receive double the amount? He does not. He receives \$1.25 more, or \$27.50. If he works for 20 years he receives \$30. If he works for 40 years he receives \$35. The man who works for 40 years receives \$35 and the man who works for 20 years receives \$30, or \$5 less. In other words, one of our citizens who is to be inspired and protected by this great law has built up a payment of \$30 by 20 years of contribution, and he will be encouraged to work for 20 years more by being given an additional \$5 for the second 20 years' contribution. If that worker were not entitled to one cent of interest, if he lived until he was 65 and commenced to receive his benefits, as between the 20-year payments and the 40-year payments he would have to live until he was 90 years of age to receive back even the additional amount he paid in during the last 20 years. If we allowed 3-percent interest, he would then have to live to be about 125 years of age, after he had reached the age of 60, to receive back what he had paid in.

Mr. President, if I make any error in my figures I hope some Senator will challenge my conclusions.

Mr. LUNDEEN. Mr. President, will the Senator yield.

Mr. DOWNEY. I gladly yield.

Mr. LUNDEEN. Does the Senator mean to say that that is the best the "brain trust" could do?

Mr. DOWNEY. I should not want to place the responsibility or blame for this law upon any one person. I think probably its authors sincerely and honestly believed in it. Later, I wish to discuss the state of mind which could believe that in a land of imperial wealth, with factories running at half capacity and food destroyed so as to become a stench in the land, we have to cause our senior citizens to live in poverty and degradation. Later, I wish to speak upon that feature of the minds which drafted the act.

Mr. President, the question which immediately arises is, How could men who evidently know the actuarial business have been so prejudiced against the older workers as to deny them any justice or decency? Why is it that after a man has worked from 10 to 20 years he receives almost nothing for the great bulk of the contributions he makes? I will tell the Senate why.

The Social Security Board found that this unhappy and miserable plan would result in the literal starvation of millions of persons past 65 years of age, who would not be able to obtain any relief except by further governmental subsidies and borrowed money. So what did the Board do? It used the contributions of the younger workers in order to work out some liberalization for the older workers. This is exactly what was done, and I challenge anybody to oppose it. Under the law, the older workers will receive their pensions as a result of the contributions of the younger workers; and the gentlemen who have challenged the Townsend plan because we believe in a consumption tax which would bear upon the rich man in proportion to his spending capacity as well as upon the poorer man in lesser degree have finally come down to a system under which, because of its contradictions and futility, hundreds of thousands or millions of pensioners who will receive payments in the next 5 years will be paid by virtue of the pay-roll tax upon other workers.

There is no possible contradiction of that statement. Under the Social Security Act we have not only clamped down the one kind of tax which whips most strongly against the worker, but we have put that tax upon all persons younger than 40 or 45 in order to provide benefits for persons now past 65, because we were unwilling honestly and frankly to face the problem.

Mr. President, the book which I wrote has been referred to. Otherwise, I should make no reference to it. In that book I referred to this law as pure chicanery and fraud. I wish to give one other example. I could give many others, but my time is too limited to do so.

Under the provisions of the bill as it came from the House, any person who did not receive more than \$200 in a given year would receive no credit for the tax upon his pay roll. That provision has been changed so that unless his earnings exceed \$50 in a quarter he receives no credit. We have millions of unfortunate persons in this land—God help them—who earn \$400 or \$500 a year, working perhaps a month now and a month again, in and out of covered occupations. The provisions of the bill virtually mean that we are to tax the most miserable, unfortunate people in America on \$100, \$150, or \$199 of their earnings; and if their earnings do not happen to exceed \$200 we are going to take their money away from them. That is all it amounts to. Millions of dollars will be drained into the Federal Treasury out of the most miserable unfortunates in America.

Mr. President, I know scrubwomen in California who get down upon their knees and earn perhaps \$20 or \$30 a month, and who perhaps do not earn more than \$100, \$150, or \$199 a year; and yet we are going to clamp this 6-percent tax down upon them—which is bad enough—and then we are not going to give them \$1 of credit or \$1 of benefit!

The representatives of the Social Security Board say, "Let that washerwoman or scrubwoman live from the time she is 30 until she is 65, and then we shall take care of her as a charity patient, and we shall make up to her what we took away from her small earnings in order to help finance the

workers of the Nation who are now unable to obtain through governmental subsidy the necessary amount upon which to live."

Mr. President, while I am opposed upon economic grounds to any contributory system at all, I can understand the logic of a man who says that the benefits a man receives should be in proportion to his contributions; and that is what this law pretends to provide. But it is absolutely false and misleading. For the next 5 years the older workers will receive several times the proportionate amount over the younger workers who, as a result of the whole scheme, will gain practically nothing through the last 15 or 20 years of their savings.

Mr. President, I have stated the unhappy position of the Senators from California who will have to go back and tell the workers of California in covered occupations, that is the 80 percent of the more poorly paid ones, that they will receive about \$20 a month as a result of these liberalizing amendments, while in California a husband will be receiving \$40 and a wife \$40, or a total of \$80.

Do not let any gentleman say, "Well, we do not care what happens in California; it is not our fault if California is too generous." Do you know, Mr. President, that under this proposition we are agreeing to a subsidy from the Federal Treasury for husband and wife of \$20 a month each or a total of \$40 a month to a husband and wife who have passed 65 years of age. That is more than the great bulk of the workers under the contributory system will receive from their contributions.

Mr. President, let us forget about the contributions of the States. We are proposing under the State-aid plan to give a Federal subsidy which will be greater than what will be received by the workers under the contributory system. Then, when we add the maximum amount paid by the States the contributory worker is going to be so anguished and heart-sick that I am glad that I am not committed to this measure, for, doubt not the day will come, Mr. President, when the workers of America will realize its iniquity.

The present law gives to old-age assistance recipients an average of a little over \$19 a month. The Connally amendment, which the Senate has adopted, plus the \$20 amendment we have adopted, will raise that average to about \$25 a month. Let me say that, with the exception of Senators from two or three States, every other Senator must go back to his State and say to the workers in the covered occupations, if this bill shall be enacted, "We have provided for you, the workers of America under a contributory system, an average of less than is provided as a matter of governmental subsidy."

It is true that many of the Senators will not be in the same extremely embarrassing situation that the distinguished senior Senator from California and I will be in, but the distinguished senior Senator from Massachusetts and the junior Senator from Massachusetts, the Senators from Colorado, those from New York, and those from Ohio—indeed, as a matter of fact, those from every State in the Union—under this new amendment will be in the same position to a greater or lesser degree.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WALSH. What is the maximum payment for old-age assistance in California?

Mr. DOWNEY. The legal maximum is about \$35, but we are only paying an average of about \$32.50.

Mr. WALSH. In Massachusetts the average is \$28; but the determination of the amount to be paid to a needy individual who has reached the age of 65 is left to the local authorities, as the Senator knows. The result is that the amount paid varies in different communities; and, I am happy to say, in my opinion, the amount paid in Massachusetts ranges as high as \$50 in some cases, and \$40 and \$35 in a large number of cases.

There are other instances in some communities of the contribution being very small. The system under which we are operating—and I am not now speaking in opposition to the system advocated by the Senator from California—leaves to the local communities the determination of the question of need and the amount that should be paid in a particular case to an aged individual. It may be \$35 or \$45 in one

community and in another seven or eight dollars; but if an old person is bedridden and in extremely destitute circumstances and requires more money, provision is made by Massachusetts law for the local authorities to provide for such cases.

As the Senator knows, there is a further provision that one-half the amount is contributed by the Federal Government up to \$15. In Massachusetts two-thirds of the remaining amount is provided by the State and one-third by the local communities. So, in the case of an individual in a particular community receiving \$30, \$15 would come from the Public Treasury, \$10 from the State of Massachusetts, and \$5 from the local community.

It seems to me that these elastic provisions, under which the determination is left to officials of the local community, who know the needy circumstances of the individual citizen, have operated to better advantage than the general State-wide plan, such as that in California of paying a fixed sum to every individual, no matter what the degree of need may be.

Mr. DOWNEY. I thank the Senator for his very illuminating and interesting statement, and, as a representative of California, I congratulate the State of Massachusetts that in certain payments, at least, it exceeds the payments in California. I had believed we provided the highest payments, and we do have the highest average payments, but in individual cases, as the Senator has pointed out, Massachusetts has the highest. I wish, however, that the senior Senator from Massachusetts had brought his sound judgment and intellect to the question I am propounding. The Senator from Massachusetts must go back and say to the workers in the covered occupations, "Eighty percent of you will get only \$20 a month under the law, and, looking ahead 40 years, as the law is now framed, you can hardly hope to get as much as Massachusetts now pays as a matter of subsidy." I take it, that the distinguished Senator from Massachusetts sees the point involved in that, and he may want to respond to me and say, "Well, if the workers in the covered occupations receive so little, we will have to take care of them as a matter of additional charity," which, of course, is what ultimately will happen under this law.

Mr. LUCAS. Mr. President, will the Senator from California yield at that point?

Mr. DOWNEY. I yield.

Mr. LUCAS. Do I understand the Senator to say that ultimately it will be necessary, in his opinion, for the Federal Government to provide subsidies which will make up the difference between what the workers in the covered occupations will receive and what a person who receives an old-age pension now obtains?

Mr. DOWNEY. I will respond to the distinguished Senator from Illinois in this way: If the Congress does not enact legislation embodying the Townsend plan before the workers of America become aroused to what this law is, I venture to say that this Government will be paying subsidies to bring up the payments of the workers who are paying a contribution to what is being paid in the States as a matter of charity.

Mr. LUCAS. Mr. President, will the Senator further yield?

Mr. DOWNEY. Certainly.

Mr. LUCAS. The Senator has made a very interesting statement and argument concerning this important piece of legislation. I am merely wondering whether or not the Senator has offered any amendment which would place in the law what he has in mind in connection with the Social Security Act?

Mr. DOWNEY. No; I may say to the Senator from Illinois that I have not. I have appeared before the Finance Committee in an open and in a closed hearing; I explained my ideas to the Finance Committee; and, of course, they were totally disregarded, as I expected them to be. I knew that I would have no opportunity to reach the ears of the Senate except in some such manner as this, but I may say I did the best that I could.

I may further say to the distinguished Senator from Illinois that since 1925, I venture to say, my mind has been occupied

8 or 10 hours a day on this question of excess savings and pensions, and I declare to the Senate that no logical and sound law can be worked out by a combined State and Federal plan embodying a contributory system on the one side and a governmental subsidy on the other. I am anticipating myself in some of these arguments.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WALSH. I think it only fair to say that the Senator made it very clear to the Committee on Finance that he was opposed to the whole theory of the present social-security law; indeed, he used very strong language in condemning it, and stated that he thought, in time, it would be considered to be almost a fraud—I think that is the very word he used—

Mr. DOWNEY. I think so.

Mr. WALSH. A fraud on the people of this country. For the reason that he was opposed to the whole theory of the law, he did not choose to make any suggestions or offer any amendment, but he is now proposing an entirely different theory be substituted. Am I correct?

Mr. DOWNEY. I thank the Senator. He is entirely correct.

Mr. President, I desire to say that there is one very material respect in which this social-security law violates every acknowledged rule of taxation and social decency. The condition I am now about to describe has been partially, but only to a degree, rectified by the Connally amendment. This law under which the Federal Government gives a larger subsidy to the wealthier State, or to the State that believes more in pensions than does the poorer State, or the State that, being rich, does not give them, does what? Its tendency is, and only is, and must be, to suck money out of the poorer States for the benefit of the richer States. In other words, beyond any doubt, taken as a general rule, the higher pensions are paid in the wealthier States; not in every case, but as a general rule. The money is collected by the Federal Government from all over the United States. The poorer States get the smaller amounts and the richer States get the larger amounts.

Mr. LEE. Mr. President, will the Senator yield at that point?

Mr. DOWNEY. Yes; I yield.

Mr. LEE. Then the situation operates further to aggravate the maldistribution of national income rather than to alleviate it. Is that correct?

Mr. DOWNEY. I absolutely agree with the Senator.

Mr. LEE. It carries out the idea that—

Unto everyone that hath shall be given, and he shall have abundance; but from him that hath not shall be taken away even that which he hath.

Mr. WALSH. Mr. President, will the Senator permit an interruption?

Mr. DOWNEY. I yield.

Mr. WALSH. I feel very strongly that the present system, as set forth in the Connally amendment, is unsound and will ultimately lead to the Federal Government assuming the most sacred local right that the people of the country have—namely, the right of taxation.

I cannot understand how it can be said that a State is a poor State or a rich State simply upon the basis of per capita income. Whether or not a State is a poor State in comparison with other States for the purpose of governmental expenditures and income depends also upon its system of taxation. In this country the variation of the ratio of existing true value of general property for taxation purposes extends in the different States from 20 percent to 125 percent, and the same situation exists in the tax rate levied on general property between the States.

If the day comes—and God forbid that it shall come—when we have a Federal uniform system of taxation, when \$100,000 of property in California will be valued and taxed exactly as \$100,000 worth of property is taxed in Massachusetts or in Alabama or in Mississippi, we can then justify taking out of the Public Treasury the total sum of money which may be required for these social-welfare contributions and activities, and especially for old-age assistance. To my mind, however,

it is inequitable and unfair, and that is why I voted against the Connally amendment and other proposals to classify States as rich and poor States simply and solely on the ground of per capita income.

In my own State of Massachusetts, as shown by the figures here, the old-age contribution made in some communities is very small. In others it is large. Does that mean that those are poor communities? No. Does that mean that these are rich communities? No. It means that the people in certain communities have voluntarily levied heavy taxes upon themselves to meet higher standards of health, educational, and social-security legislation, and other obligations.

So I am one of those who feel that I must protest against any attempt to describe States as rich States or poor States upon the basis of per capita income. They can be so described solely and alone on the basis of every man, woman, and child in every State having the same ratio of valuation placed on his or her property, and the same tax rate on his or her property. Then we shall distribute the revenues collected from taxation equitably between the States and the people of the several States.

This, however, is entering into the domain of robbing the local communities of their dearest and most precious right, which I hope may never come; but we are coming to it. We are coming to it; and the Connally amendment is a move in that direction, and every other amendment is a move in that direction, because the people of California who pay, upon \$100,000 full value, taxes of \$40 to \$50 per thousand have a right to demand that in the District of Columbia, instead of paying \$17.50 per thousand, the people shall pay taxes of from \$40 to \$50 on \$100,000 worth of property.

The Senator will pardon me; but I wanted to emphasize, in considering what the Senator terms an inequality under the present system, a matter that we shall have to meet and solve in the future.

I hope what I have said indicates that we have not yet found an equitable solution of the problem about which the Senator is talking.

Mr. DOWNEY. Mr. President, I am deeply grateful for the very illuminating and thought-provoking statement made by the Senator from Massachusetts. If I correctly interpret his remarks, as I believe I do, I am wholly in accord with him; and I believe that a national pension system would at least be a step in the right direction to produce uniformity.

Mr. President, I am now going to do something which perhaps some few of the citizens of the State of California may criticize me for, but not the great bulk of them. I am going to say that while the amendments proposed here will automatically bring California up to a payment of \$40 per month to a single man and \$80 per month to a husband and wife, which is a consummation devoutly to be desired, yet nevertheless I think it is grossly unfair to the poorer States, like Oklahoma and the others, that California will still be receiving several times as much from the Federal Treasury as is the State of Arkansas. And though I am speaking against the selfish interest of my State, I here and now declare that to the extent that our wealth in California exceeds the wealth in any other State, a uniform tax levied over the United States, returnable to the citizens of the United States in equal amounts, is the only decent, fair kind of a tax. It is elementary in tax law that the burden of taxation should fall upon the shoulders of those best able to bear it; and this inequitable, this strange act reverses that principle and takes away from the poorer State and gives to the richer State.

Mr. President, I have not yet reached the point which is the most shocking to me in this law, but I now approach it. Let me first call to the attention of this body the fact that over a period of 150 years the workers of America have builded by their energy, talent, and toll the richest empire of all times and places; rich almost beyond human conception; rich enough to deluge not only every senior citizen but every man, woman, and child in America with all the good and needed things of life. We need not destroy our chickens because we cannot sell the eggs. We need not

destroy our dairy cattle because children cannot buy milk. We do not have to plow under fruits and vegetables, and let factories run at 50 or 60 percent of capacity. We have the power in the great business leaders of America and in the workers and technicians of America to produce \$100 or \$200 per month for the senior citizens of America, plus high and decent profits and salaries and wages to the workers. When I hear men solemnly discuss a plat of poverty extending a half century in advance, when right today, as I talk, we are surfeited in our own wealth, do not the men who conceived this plan of giving \$20 or \$30 a month to retired citizens know that our factories can never run again to employ our workers, that our farmers can never be prosperous, that our businessmen never can be secure unless we, the representatives of the people, work out methods of distributing the wealth which will be produced by general employment?

What are the figures now accepted by everyone? Today, this month, our national income does not exceed the rate of \$65,000,000,000 per annum. The most conservative figures now show that with a slight amount of building in the bottleneck industries in a year or two or three years we could produce, in physical goods and services, at least \$110,000,000,000, certainly forty or fifty billion dollars of wealth more than we are now producing.

Mr. President, if there is any Senator here, our majority leader or anyone else, who can tell this body how he will end unemployment, except by providing for the Nation sufficient income to buy back what will be produced if we have general employment, I should like to hear him speak. With a productive capacity of \$100,000,000,000 or \$125,000,000,000, so long as we disburse in this Nation sixty or seventy-five or eighty billion dollars of purchasing power, we are going to have an ever-growing army of the unemployed.

Let us frankly and honestly tell the truth about the United States of America. I love my country and I love democracy. I shall stand as firmly as I can for constitutional principles and for the American people. But, oh, why, instead of criticizing and belittling foreign nations do we not inquire about our own shortcomings and remedy them?

Mr. President, it is a simple fact that today there is more unemployment in the United States than in all Europe combined. We are building poorhouses, penitentiaries, and asylums faster than all the other nations of the world combined. Someone may say to me, "Yes; but in Europe they are employing men in the armament industry." That is true. We have the benefit of two great oceans; we are at peace with each other, and with the world; we do not yet have to spend very much upon our Army and Navy, and it might be argued that that is one of the reasons for unemployment in this country, and that the employment of people abroad is a result of their armament programs. But let me point out to my colleagues in humility and sorrow a thing I regret to say, that the countries in Europe in the last 5 years have steadily increased, and are today increasing, their capital goods, and Germany and Japan and Italy—yes; and Great Britain and France—are steadily today and every year becoming richer in capital goods, while we today are just standing still. In other words, Mr. President, in spite of the fact that they are involved in a great armament race they are doing better than we are doing. Let us admit it with humility and regret.

Let us face the facts. We say there are eleven, twelve, or thirteen million unemployed in this country. Oh, yes; there are that many men in the United States totally unemployed. There are ten or fifteen million more working on part time, precariously holding their jobs, working a day this week and a week next month. There are in the United States today the equivalent of at least sixteen or seventeen million idle men.

Mr. President, that is not the worst part of the story. We now have an unbalanced Budget to the extent of about \$4,000,000,000. That \$4,000,000,000 not only furnishes assistance for the hopeless, hungry people on our relief rolls—God protect them—but it does something else; it employs at least 5,000,000 more men who are engaged in producing the goods and services for the relief workers. If we at-

tempted today to balance our Budget, and if we withdrew that support from private industry, we would see the army of the idle augmented so rapidly that our entire economy would be placed in jeopardy. As a matter of fact, by September 1937 we had about balanced the Budget; \$4,000,000,000 of inventory accumulated in 8 months; then men stopped producing, and by the following July four or five million more men were out of work, and we were compelled to take up the burden of disbursements from an ever-expanding public debt.

Mr. LUNDEEN. Mr. President, will the Senator yield?
Mr. DOWNEY. I yield.

Mr. LUNDEEN. In other words, I take it the Senator would say that we might well turn from the idea of saving the world and turn to the great American scene, and try to save our own country.

Mr. DOWNEY. Yes; I can agree with the Senator at least this far, that our own internal problems are more vital to me than are any external problems, and what I see 2 or 3 years ahead, and not longer than that, in the internal breakdown of our economy, is more terrifying than the possibility of any Asiatic or European nation ever undertaking to invade our shores.

I have said, Mr. President, that it is only by virtue of an unbalanced Budget of three or four or five billion dollars that we can keep going. Let me say that that does not mean that I condone the increase of the public debt. Let the public debt increase a very few years longer at the rate it has during the last few years, and we are going to see the collapse of every bank and building and loan association and insurance company in the United States. Government bonds would have to fall only 10 percent now to wipe out the surplus and reserves of almost every bank and insurance company in the United States, because at present they are investing almost exclusively in Government bonds.

Mr. President, no one need suggest to me that we can support our own bonds. Of course we can, and we would, and in a few months we would be in the midst of issuing printing-press money, and inflation, and then it would not make very much difference what happened to the banks and insurance companies, because savings and property rights would be destroyed, as they were in Russia and in Germany.

Mr. President, this is what is extraordinary to me about the social-security law. Here we are, lacking thirty or forty or fifty billion dollars of consuming power to get our people back to work, and with that condition existing, we have here a law which is a plat of poverty for 40 years ahead of time. Forty years in advance these gentlemen have calculated their figures, 40 years in advance the actuaries have projected this realm of poverty.

Why do I say that? It is suggested to me that increasing wages might increase what the workers would receive. Oh, no; because these gentlemen have designed this plan, and cleverly, I admit, so that the workers in the contributory system can never hope, as a result of the most prosperous years, to get a decent annuity. Why is that? We are now calculating their annuities upon this basis: For the first \$50 in a covered occupation we will give 40 percent, or \$20, but after that we give only 10 percent of anything over \$50. So, however much a man conceivably might earn, he could never hope to get a pension which would support him with any degree of decency, even though he faithfully worked for 40 years.

As a matter of fact, I may say to the distinguished Senator from Kentucky, that the utmost that could ever be reached by a worker out of this contributory system would be the sum of \$56. I do not suppose there will ever be one who will get anywhere near that amount, because it would mean that for 40 years he would have to work every month in a covered occupation and receive the maximum salary of \$250. So, while it sounds well to say that a worker might get \$56, the likelihood that he will ever get more than \$20 or \$30 at the end of 40 years is very slight indeed.

So I say, Mr. President, that this plan is a plat of poverty projected by actuaries for a half century ahead.

Today we are surfeited with wealth we cannot use. Machinery, inventions, and business efficiency are continually developing, and yet, while only utilizing 60 percent of our business capacity, we are now going to project a system 40 years ahead when the present payments will not even provide sufficient to take care of the wealth we are now producing.

Mr. LUNDEEN. Mr. President—

The PRESIDING OFFICER (Mr. MEAD in the chair). Does the Senator from California yield to the Senator from Minnesota?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. Do I understand the Senator to say that we will have to wander through the desert for 40 years toward the promised land of social justice if this administration's social-security plan is projected into the future; and if so, is that the best the Solomons of this administration can do?

Mr. DOWNEY. I may say to the distinguished Senator that I do not believe we will wander for 40 years in the desert, because within 3 or 4 years, as I shall attempt later to show the Senate, the collapse of this economy, in my opinion, is inevitable, and I do not make that statement lightly, and when I come to it I shall challenge any debate or argument thereon.

Mr. President, I now want to pass to the proposed system in which some of us believe. In the first place, we believe there should be a national plan because it has got to become the major instrument of relief. We do not want to continue to have C. C. C. camps, and P. W. A. and W. P. A. projects, and N. Y. A. projects. Whatever subsidy is to be provided should be given to men who have done their life's work and are no longer needed by society, who, in my opinion, are those past 60 years of age. Consequently, since it has to be and should be the major instrument of relief, it ought to be administered nationally.

Assuming we would place in operation a pension system which would provide for people past 60 years of age, retired from gainful employment, that probably would cause our senior citizens to yield up about two and one-half million jobs, as I calculate—almost exactly the same number as now work under our relief agencies. I believe that with an adequate national pension system we could return relief burden to the States, which could easily handle it with the amount they are now disbursing in pensions under the present system, and Congress could be relieved of this unhappy, this unwholesome problem of work relief, where, it seems, this body has consumed a great part of its time in argument upon how much should be given, and how much money is to be raised, and how long we can continue to borrow.

We believe that instead of setting the age of 65 for the pension recipient it ought to be reduced to 60 years of age. I cannot say anything to strengthen that contention, Mr. President, except that admittedly we have millions upon millions of people between 60 and 65 years of age, jobless, moneyless, friendless. Many of them are dying of malnutrition and neglect. Not one month passes in the United States but that thousands of these senior citizens from 55 years of age and up are taken out of hovels, and county poorhouses, and fourth-rate hotels, and along the roads, the victims of malnutrition and lack of medical care.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. If I am correct, out of a million men and women who have reached the age of 60 years, 600,000 plus will be dead before they reach the age of 65. It might be well to pay a little pension to these people before they pass out of existence. Many of them will be gone from the American scene before they reach 65.

Mr. DOWNEY. I can totally agree with what the Senator has just said. When the depression came upon us I was practicing law in the valley of the Sacramento, and I venture to say that 90 percent of my clients of the middle class and business class were stripped of everything they had. I have seen them in the intervening years broken down mentally and physically by insecurity, their morale lost, their hope

lost, dying prematurely and unhappily between 60 and 65 years of age.

I tell the story of one man out of tens of thousands in California who tried to get work. He was past 60 years, and he tried to get a pension. However, he was under 65. Finally after being twice treated for malnutrition in the hospital he penned a note saying, "Too old to work, too young for the pension. I had better take this dose of poison." And he took it and died.

Two- or three-line notices of happenings of that sort appear every day, buried in the back columns of the newspapers. Such things occur in this wealthy, affluent land of which we love to boast, this land of imperial wealth, which, if we could restore our workers to full employment, would afford to each retired worker everything they could need.

Mr. President, some Senators will be interested, I hope, in specific figures upon the proposed Townsend plan. The best estimates now place the number of citizens past 60 years of age at about 13,000,000. Of those 13,000,000 people past 60 years of age, 4,150,000 are still considered employable. Of the 4,150,000, 150,000 are working on W. P. A. projects, and 1,000,000 are idle. Three million, or about 20 percent of the total number, are employed; and those who are employed are making somewhere around four or five hundred dollars a year, precariously clinging to their duties, precariously, with their failing strength, trying to hold on, and keeping out of work some son, or grandson, or young man, when they themselves should have been retired to that serenity and that dignity which should be every man's right after he has retired, but which is the privilege of so few of us.

It is my estimate—and that is all it is—that if we should place in effect the Townsend plan on the basis of a 2-percent transactions tax, of the 3,000,000 workers who are now working, two and one-half million would yield their jobs to younger men. Furthermore, they would yield up their W. P. A. jobs. We would still have working about 500,000 men and women past 60 years of age. That would leave about 12,000,000 men and women to account for. It is my opinion that about one and one-half million of them would never claim the pension, because they may be aliens, or they may be well to do and not want it, or for some other reason. I think the pension would be claimed by about 10,000,000 or 11,000,000 of our senior citizens.

Our proposal is a 2-percent-transactions tax to provide the funds. Let me say this particularly to the distinguished Senator from Michigan [Mr. VANDENBERG]. I am not now speaking dogmatically. When I discuss a transactions tax I want Senators to understand that my mind, of course, realizes it would take months of careful investigation to find the best tax. I am satisfied it must be a tax upon consumption. It must be about the equivalent of a 2-percent tax on transactions.

It might be easier and better to put on a 3-percent wholesalers' tax, and a 4-percent manufacturers' tax, and a 2- or 3-percent retailers' tax. That might produce the needed amount of money at a great deal less cost and complication. Consequently, when I am citing a transaction tax of 2 percent, it is merely in the argument for a general principle of that kind.

Mr. President, I realize that I am about to say something which at first will shock the ears of my auditors, but I think that upon listening and considering, Senators will be much more receptive in their consideration of the Townsend plan. We would urge that out of this transaction tax wages and salaries should be exempted. Instead of clamping down with a 9-percent pay-roll tax, we would exempt the wages and salaries of the workers of America, so that at least any burden they bore would be indirect and not direct.

We would necessarily, to protect our banks and insurance companies and investors, exempt the sale of securities, stocks and bonds, and financial transactions of that character. Exempting those transactions, we find that in the United States at the present time we have gross-income transactions of about \$360,000,000,000. A tax of 2 percent upon that amount would yield \$7,200,000,000, which is exactly 10 percent

of the income it is now agreed we produced in 1937. In other words, we are advocating a tax which would effect a profound redistribution of wealth, and would set over to the senior citizens of America, probably by way of increased prices of goods, 10 percent of the national income, or \$7,200,000,000. With the present national income, that plan would yield to each person past 60 years of age retired from gainful employment somewhere around \$50 or \$60 a month. As the national income increased up to one hundred, one hundred and twenty-five, or one hundred and fifty billion dollars, which is well within our capacity within a few years, the annuities paid to the retired workers would correspondingly increase up to \$75, \$100, \$150, and ultimately probably to \$200 a month.

If I had finished my story there, and if I were proposing the imposition of a 10-percent tax upon every American, depending upon the amount he spent, not one man of decency or Christianity or generosity should object. Mr. President, if it were necessary, I would cheerfully yield 10 percent of my income to know that this problem was worked out, and that hungry men and women past 60 years of age who have built this Nation for us were being taken care of with some degree of decency in a Christian civilization. I cannot understand how any man living in a Christian republic would be unwilling, if he thought such a plan would be successful, to consent to a tax of 10 percent upon the amount he consumed.

The Townsend plan has been condemned by some of the leaders of the liberal movement because it is a tax upon consumption—upon the masses. Let me repeat, we exempt pay rolls, and the tax would be indirect, in place of the 9-percent tax which is now contemplated under the Social Security Act. However, we would do more than that. If Mr. Ford had \$1,000,000 income a year, I believe he would have to pay about 6 percent of that amount net, above present taxes, or about \$60,000 a year. A Senator of the United States, in my opinion, would have to pay about \$600 more than he is paying under present taxes, which would be done away with. A worker making \$100 a month would have to pay only \$60 a year. I appeal to the liberals in the Senate. If this method would give to the workers of America making \$100 or \$150 a month far more than they could hope to obtain from an insurance company or under the present law in return for the tax upon them, bringing to them the benefit of taxes upon greater incomes, why should the liberals of America castigate and condemn the Townsend plan and then seek to place in effect this pay-roll tax?

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. I have in my possession an editorial published some time ago in a well-known magazine, in which the editor maintained that the soldiers' bonus should be paid by a revolving 2-percent-stamp tax. Of course, the editorial was published some time ago, and the soldiers' bonus has since been paid; but I thought it might be of interest to the Senator to know that a great magazine had published such an editorial some time ago. With the Senator's permission I should like to have the editorial placed in the *Record* as soon as I can refer to my office files.

Mr. DOWNEY. I am very happy to have that done.

Mr. LUNDEEN. Mr. President, I ask unanimous consent that the editorial referred to be printed in the *Record* tomorrow or at some future time during this session.

The PRESIDING OFFICER. There being no objection, the editorial will be printed in the *Record*.

Mr. DOWNEY. While I have said that the 2-percent transactions tax, or an equivalent tax, would, in my opinion, yield about \$7,200,000,000, I do not want this body to understand that it would be that much of a burden upon our economy in addition to the present burdens. I believe that under this plan we could and should do away with the \$1,000,000,000, \$2,000,000,000, or \$3,000,000,000 that we are annually spending, by way of an expanding debt, upon the W. P. A. We could do away with an immense amount of relief, poorhouses, and insane asylums. We could do away with the billion or billion and a half dollars that the pres-

ent law is going to raise; and I feel confident that the net amount which would be raised by the proposed tax would not be in excess of two or three or four billion dollars more than we are now raising.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. VANDENBERG. Let me give the Senator the figure for 1949. In that single year we shall raise \$2,550,000,000 in pay-roll taxes.

Mr. DOWNEY. Does the Senator from Michigan say that is the amount which would be raised from the pay-roll tax alone?

Mr. VANDENBERG. The whole two and a half billion dollars represents pay-roll taxes.

Mr. DOWNEY. That has nothing to do with old-age assistance.

Mr. VANDENBERG. No.

Mr. DOWNEY. It can thus be seen that while the tax which we are advocating would be uniform and would do the work, it would not burden the national economy to the extent the opponents of the Townsend plan have led the public to believe.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUCAS. I understood the Senator to say that he thought the transactions tax would yield approximately \$7,000,000,000.

Mr. DOWNEY. \$7,200,000,000.

Mr. LUCAS. Will the Senator state upon what that figure is based?

Mr. DOWNEY. That figure is based upon \$360,000,000,000 of transactions.

Mr. LUCAS. Where does the Senator obtain the figure of \$360,000,000,000 of transactions?

Mr. DOWNEY. That figure was testified to before the House committee, I believe, by representatives of the Department of Commerce. I will say to the distinguished Senator from Illinois that I will not argue or quarrel with him. I am advocating the imposition of a consumptive tax which would raise about that amount of money. If it should raise more, we should not need so much. If it should not raise that much, we should have to change the tax.

Mr. LUCAS. I should like to have the Senator explain just what he means by a transactions tax.

Mr. DOWNEY. Of course, if it included every transaction, it would include every transfer of money from one individual to another in a commercial transaction.

Mr. LUCAS. Do I understand that that provision is embodied in the bill?

Mr. DOWNEY. There is no such bill now pending.

Mr. LUCAS. I apologize to the Senator. Of course, there is no such bill pending; but am I to understand that that type of transactions tax is embodied in the Townsend plan?

Mr. DOWNEY. Yes; that type of tax, exempting wages, salaries, and financial transactions, is embodied in the Townsend plan.

Mr. LUCAS. So, if the Townsend plan were in effect every type of transaction that is made would be taxed at the rate of 2 percent?

Mr. DOWNEY. I do not want the Senator to misunderstand what I have already said. We are advocating the transactions tax, or a consumptive tax equivalent to it; and if the Senator could convince the Finance Committee that a tax upon manufacturing, wholesale, and retail transactions producing the same gross amount would be more convenient, we should have no hesitancy in adopting that system.

Mr. LUCAS. I am discussing now, or attempting to discuss in my limited way, what I have always understood the Townsend plan to include, which is a transactions tax.

Mr. DOWNEY. That is correct.

Mr. LUCAS. I am not talking about a manufacturers' tax. I am not talking about a consumptive tax. I am directing my line of questions to the transactions tax, which,

in my humble opinion, is the meat of the entire Townsend plan.

Mr. DOWNEY. The distinguished Senator from Illinois is mistaken. He sees the tree instead of the forest. We believe in a consumptive tax. We know, in the first place, that incomes are now taxed to about the full amount they can be taxed. The tax must fall on consumption; and it ought to be a consumptive tax equivalent to about 2 percent on transactions. However, if the Senator thinks that is too complicated or too expensive, I will not argue with him. Other consumptive taxes might be more feasible and economical.

Mr. LUCAS. Mr. President, will the Senator yield for a further question?

Mr. DOWNEY. Surely.

Mr. LUCAS. Am I to understand that the Senator from California is now abandoning the transactions tax, and is now seeking to collect the \$7,200,000,000 through a consumptive tax, a manufacturers' tax, or some other tax?

Mr. DOWNEY. I will say to the distinguished Senator that a transactions tax is a consumptive tax, because it falls upon the consumer.

Mr. LUCAS. I appreciate that fact.

Mr. DOWNEY. It is added to prices. I have not abandoned anything. We are advocating a 2-percent-transactions tax; but if tax experts say that would be too expensive or too burdensome to work out, and if some other kind of consumptive tax would yield the same amount more cheaply and more efficiently, I, for one—and I am speaking for no one except myself—would be for it.

Mr. LUCAS. I think the Senator understands my position with respect to the transactions tax. I have always taken the position, from the very beginning of the discussion of the Townsend plan, that it would ultimately break down of its own weight, because of its impossible administrative features. That has been one of my primary reasons for being against the Townsend transactions tax from the very beginning, because I think the Senator will agree with me that under the transactions tax there would be a tax upon every transaction made.

In other words, every time one wrote a bank check in a business transaction there would be a tax upon it. The testimony in the House hearings, I think, shows that there are millions upon millions of checks written annually which would be taxed. I think the Senator will agree with me, for instance, that every servant, every hairdresser, every barber, every merchant, every oil-station man, every taxi driver, in fact, everyone rendering any personal service of any kind, would be subject to this tax.

I mention this primarily for the purpose of trying to demonstrate to the Senate how impossible it would be to administer the transaction tax. I should like to have the Senator comment upon that phase of the subject, because in my mind that is the most important feature of the Townsend plan. Without the transaction tax there can be no Townsend plan and every Townsend follower believes in this type of legislation to create revenue. If we are going to have a policeman at every farmer's door when he trades a horse for a hog and gets \$10 to boot, which would be a transaction, if we are going to have a policeman at every grocery store and barber shop and beauty parlor in order to collect the tax the country should know about it in advance. The Senator should thoroughly explain the mechanics of this tax. Let it be understood that I have no quarrel with the objective in adequately providing for the aged people of the Nation but I submit with sincerity that the transactions tax is absolutely impossible. Again I request the Senator to tell the Senate how he expects to collect the tax.

Mr. ASHURST. Mr. President, will the Senator from California yield to me for the purpose of calling for a quorum? The Senator will not thereby lose the floor.

Mr. DOWNEY. I yield.

Mr. ASHURST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll and the following Senators answered to their names:

Adams	Frazier	La Follette	Schwellenb
Andrews	George	Lee	Sheppard
Ashurst	Gerry	Lodge	Shipstead
Austin	Gibson	Lucas	Slattery
Barbour	Gillette	Lundeen	Smith
Barkley	Glass	McNary	Taft
Bilbo	Green	Maloney	Thomas, Okla.
Bone	Guffey	Mead	Thomas, Utah
Borah	Gurney	Minton	Tobey
Bridges	Hale	Murray	Townsend
Bulow	Harrison	Neely	Tydings
Byrd	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Chavez	Herring	O'Mahoney	Wagner
Clark, Idaho	Hill	Overton	Walsh
Clark, Mo.	Holman	Pittman	Wheeler
Danaher	Holt	Radcliffe	White
Davis	Hughes	Reed	Wiley
Donahay	Johnson, Calif.	Reynolds	
Downey	Johnson, Colo.	Russell	
Ellender	King	Schwartz	

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

Mr. DOWNEY. Mr. President, I am very grateful to the Senator from Illinois [Mr. Lucas] for the question he has propounded to me. First, let me say I think that he is concerned about the immaterial rather than the material. When I state that we would undertake to raise \$7,200,000,000, that is the final and the crucial fact. When I state that in our opinion the amount must be raised by a consumptive tax, that is the next most important thing.

If for any reason a transaction tax, such as I may have in mind, or such as the distinguished Senator from Illinois may have in mind, should prove too burdensome, the tax could very easily and without any difficulty be imposed upon the wealth of the country to extract \$7,200,000,000 or \$4,000,000,000 or \$5,000,000,000 or \$8,000,000,000, or whatever might be needed.

I do not want to argue this particular point, because I do not think a particular kind of a sales transaction or gross-income or manufacturers' or retailers' tax is important. The important declaration from us is that it must fall, not upon incomes but upon consumption, and that it must be equivalent to a 2-percent tax.

I wish to say to the distinguished Senator, however, I think he vastly overrates the difficulty. If the Senator can consider himself engaged in labor, his own salary and my salary as a worker and the salary of every other worker would be exempt so far as concerns the payment of the salaries and their receipt or their disbursement. None of the workers of America would ever have to make any returns at all. I venture to say that with the exemptions I have indicated 95 percent of the returns upon this tax would be paid by businessmen, including, of course, farmers. If it should seem too great a burden upon the small farmer, I would have no objection to exempting the first \$1,000 or \$2,000 of farm income and merely impose the tax upon the receipts of the remaining more prosperous and larger farms.

So I cannot agree with the distinguished Senator from Illinois that a transactions tax, with the exemption of the pay rolls and financial transactions, would be burdensome.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. DOWNEY. I yield.

Mr. LUCAS. Of course, I have no bill in front of me, and I am not sure what the Townsend plan is insofar as the transaction tax is concerned. When the Senator talks about a consumers' tax and when he talks about a manufacturers' tax and when he discusses certain exemptions that may go into a bill or may not go into a bill, of course, that is all problematical and it is based upon some contingency which may or may not happen. The only thing that I have mentally in front of me, and what I have always understood about the Townsend plan, and what the country understands, is that it involves a 2-percent transaction tax upon all business transactions.

I should like to call the Senator's attention to his book he wrote back in 1936, entitled "Why I Believe in the Townsend Plan." I respectfully refer to page 106 as to what the

Senator says about the transaction tax, which those sponsoring the Townsend plan have advocated for many years.

The Senator says:

Let me suggest one further aspect of the transaction tax. It would bear more heavily on the small and independent merchant than on the chain store and monopoly. The chain store may make its own flour, bake its bread, and act as jobber, wholesaler, and retailer. The bread sold by the smaller merchant would have to bear three or four accumulating taxes, while the chain stores would sell subject to but one or two. I doubt if the independents could survive under this extra burden. In any event, the effect of a transaction tax upon monopolies must be considered.

In other words, the Senator said that if a transactions tax should become the law of the land along with the Townsend plan, it would practically destroy every independent merchant in the country, because they could not survive and compete with the chain-store corporations of the country; and then it would be necessary, I presume, if we followed that theory to a logical conclusion, to do something to the chain stores in order to save the independents.

I presume the Senator has not changed his mind upon that important point.

Mr. NEELY. Mr. President, will the Senator yield for a moment?

Mr. DOWNEY. Surely.

Mr. NEELY. I hope that no one will consider it an undonable asperity for me to give notice that I purpose to object to any further yielding by the Senator from California excepting for questions. Otherwise the debate on this bill may continue indefinitely.

Ten days ago it was understood that the Senate would begin the consideration of Senate bill 280, the anti-block-booking bill, last Thursday. I have been vainly waiting a week for the fulfillment of this understanding.

I am tired of being behind the "eight ball." In the hope of escaping from my uncomfortable situation, and in the belief that the Senate should make some progress toward the consideration of the order of business which has been laid aside again and again, I shall object to further yielding by the Senator from California. But let me assure my fellow Members of the Senate that my objections will be made in a spirit of genuine friendship for everyone with whom the objections may interfere, including always the distinguished, eloquent Senator from California [Mr. Downey].

The PRESIDING OFFICER (Mr. RUSSELL in the chair). The Senator has that right.

Mr. CLARK of Idaho. Mr. President, will the Senator yield for a question?

Mr. DOWNEY. I yield.

Mr. CLARK of Idaho. Would not a heavy retail sales tax cover all the substantial features of the so-called transactions tax?

Mr. DOWNEY. Before I answer that question, if the Senator from Idaho will pardon me, I desire to say to the Senator from West Virginia that I realize the position he has been put in, and I am thoroughly sympathetic with him. I should like to ask the Senator from West Virginia at what time he would like to have me conclude my speech tonight, and I will abide by his desire regardless of interruptions.

I may say that in a large portion of my speech I intended to deal with the problem of savings and investment. That part of the speech could just as appropriately be made when the Barkley bill for additional loans and further expanding the public debt is before us; and I could reserve that part of my argument for that later date.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. BARKLEY. If the Senator is going to make that part of his speech against my bill, I would rather he would make it now. [Laughter.]

Mr. NEELY. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield.

Mr. NEELY. Let me assure the able Senator from California that I am not only interested in his speech, but that I hope to hear him deliver it in its entirety on some other occasion. If he would complete his address in time for the Senate to pass the pending bill before adjournment this

evening, it would thereby become possible for Senate bill 280, the anti-block-booking bill, to be considered tomorrow.

Mr. DOWNEY. Mr. President, would it be appropriate for me to inquire if any other Senators desire to be heard upon this bill or upon my motion?

Mr. LUCAS and Mr. HOLMAN addressed the Chair.

The PRESIDING OFFICER. The Chair is advised that there are other Senators who wish to address the Senate on the bill.

Does the Senator from California yield; and, if so, to whom?

Mr. DOWNEY. I would rather not yield until I have answered the questions which Senators have already propounded to me.

Mr. LUCAS. Mr. President, I merely want to assure the Senator from West Virginia that I shall not again violate the rule of the Senate. I appreciate the fact that he has been very diligent in trying to get his bill before the Senate. I am probably just as anxious to vote on that bill as anyone in the Senate. I apologize to the Senator for violating the rule; but it has been done here so frequently, and no one has ever objected, that I did not think I was guilty of any breach of propriety in not only asking the question but in also making what seems to me some pertinent observations.

I thank the Senator for yielding to me.

Mr. DOWNEY. I shall endeavor to govern myself in accordance with some reasonable principle.

Mr. President, I of course still stand by and recognize the logic of what the Senator from Illinois read from my book. I recall the words of Job:

Would * * * that mine adversary had written a book.

But I am not embarrassed by what has been read; and I have pointed out to Dr. Townsend and to his organization that if we should merely levy a transactions or a gross-income tax, a tremendous burden would be placed upon the independents in contrast to the chain stores and the great organizations; and our last bill which was presented in the House of Representatives provides for what is termed a processing tax. Under that measure, if the Standard Oil Co. should take its own oil out of the ground, refine it, sell it as a wholesaler, and retail it, it would have to pay four taxes in lieu of one; so that it would be placed upon an equality with four independent businessmen, each operating in a separate field.

I must say that I feel very, very greatly encouraged by the remarks of the Senator from Illinois. There is no one whose character, ability, or intellect I admire more than his. If all that stands in the way of his becoming an advocate of the Townsend plan is the difficulty about collecting a transactions tax, and if he will use his great ability to suggest the proper kind of a consumptive tax, I shall be very grateful. I was very happy yesterday when I heard the very distinguished Senator from Mississippi [Mr. Bilbo] speak. I thought for a few moments that he was going to make a Townsend oration, and I think the day will come when he will do so.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield.

Mr. TOBEY. May I remind the Senator from West Virginia, who put the prohibition on interruptions other than questions, that before he put the prohibition upon us I addressed myself to the Senator from California and asked him to yield not for a question, but for information. This is not a question, I will say to the Senator from West Virginia; but I am speaking to my fellow Republicans now, to stir up their pure minds by way of remembrance; and, referring to the Republican National Convention platform adopted at Cleveland in 1936, I read therefrom with reference to the party's plank on social security for the aged:

We propose a system of old-age security, based upon the following principles:

1. We approve a pay-as-you-go policy, which requires of each generation the support of the aged and the determination of what is just and adequate.

2. Every American citizen over 65 should receive the supplementary payment necessary to provide a minimum income sufficient to protect him or her from want.

3. Each State and Territory, upon complying with simple and general minimum standards, should receive from the Federal Government a graduated contribution in proportion to its own, up to a fixed maximum.

And I call attention particularly to paragraph 4:

4. To make this program consistent with sound fiscal policy the Federal revenues for this purpose must be provided from the proceeds of a direct tax widely distributed. All will be benefited and all should contribute.

I interrupt the Senator from California and read that extract into the RECORD solely for the purpose of buttressing the statement with this argument from the platform of the Republican Party, and saying that party platforms are made not only to get in on, but, in my opinion and my conviction, to stand on after parties get in.

Mr. DOWNEY. Mr. President, I am very, very deeply grateful for that contribution to this record, because it immediately brings to the support of this general principle all of the distinguished Senators on this side of the aisle except our Democratic friends; and we have several good Townsends among the Democrats. So I feel very much encouraged by that contribution.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question?

Mr. DOWNEY. I yield.

Mr. VANDENBERG. I desire to know the relationship between the \$7,000,000,000 proceeds of the Senator's transactions tax and his pension payments. What pension would \$7,000,000,000 yield to the group which the Senator estimates will be eligible?

Mr. DOWNEY. If the numbers claiming the pension were 10,000,000, which is possible, the pension would be \$720 a year or \$60 a month. If there were 11,000,000, as there might be, the pension would be slightly less. With a national income of \$110,000,000,000, which we have the capacity readily to produce, the senior citizen past 60 would then realize somewhere around \$100 per month; and as the national income ascended, of course the annuity would ascend with it.

The Senator from Idaho [Mr. CLARK] a moment ago suggested that in lieu of a transactions tax, if it proved too burdensome, we could impose a heavier retail tax; and that, of course, is very true. Under a 2-percent transactions tax, if the farmer were selling a dozen eggs for 25 cents, he would have to pay one-half-cent tax, the wholesaler would have to pay another half-cent tax, and the retailer another half-cent tax, or a cent and a half altogether, making the total cost of the eggs 26½ cents. As the Senator from Idaho has pointed out, if we wanted to levy the 1½-cent tax on the retailer it would, in my opinion, amount to exactly the same thing as collecting it in three different transactions.

Mr. NORRIS. Mr. President, will the Senator yield for a question?

Mr. DOWNEY. Surely.

Mr. NORRIS. I wish the Senator would give us his idea as to how many employees it would take to carry this tax into execution, and what the expense would be.

Mr. DOWNEY. I regret that I cannot state that to the Senator from Nebraska. I might say to him that the object is to produce employment, and if we had to employ a hundred thousand or even a million people in the collection of the tax, we would just as soon have them get their wages out of that work as in any other way, because they have to be employed and have to do work anyway.

I have read statements to the effect that the transaction tax itself would be burdensome and expensive, and I say again to the distinguished Senator from Nebraska, for whom I have such high admiration, that if a particular kind of a transaction tax were too expensive and involved too many employees, then it could be simplified in the way the Senator from Idaho has already suggested.

There is another feature of the Townsend plan which I believe involves a new and a Christian conception, that is, that whatever is paid in this Nation should no longer be paid as a matter of humiliating charity but should go to every person past 60 years of age retired from gainful employment, regardless of any means test.

I realize that might give to 20 percent of our population past 65 money of which they were not vitally in need, but I think we should establish a new social concept. I would have attempted to prove here this afternoon, if my time had not been too much limited, that the day when the great masses of the people can save is past. In the data developed by the temporary national economic committee, so ably headed by the Senator from Wyoming [Mr. O'MAHONEY], the most distinguished men from every business and industry were called to testify. Mr. Sloan, of General Motors; Mr. Stettinius, of the United States Steel Corporation; Mr. Owen D. Young, of the General Electric; representatives of insurance companies and banks and economists testified, and embodied in the report of the committee are the statistical data perfected over a number of years by thousands of students of statistics and economics. When the bill of the Senator from Kentucky [Mr. BARKLEY] comes before this body, I shall present the findings of the committee at length.

Let me say to my colleagues very briefly that those data show that our economy is breaking down because of excesses of savings diverted from business income into stagnation. They show that businessmen, in the production of goods and services of the Nation, pay out the national income; that out of that national income about 20 percent is saved; that that saving passes into the banks, and to the extent it cannot come out in capital formation it must either be borrowed by the public or released in consumers' credit or in some other temporary way.

Mr. President, those figures indicate clearly that in 1929 we had seven or eight or nine billion dollars of excess savings beyond the needs of capital industry; but in 1937 the economy crashed at about the same point in wealth production as in 1929, and we had \$8,000,000,000 of savings diverted from the business stream that were not returned to consumption by way of capital formation, and inventory account increased by \$4,000,000,000 as a result of that in a period of 8 months.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WILEY. I merely want to interject a suggestion. I recall that a recent report made by some of the great—

Mr. NEELY. A point of order. I object if the Senator is not asking a question, and I will have to object to the Senator yielding for any purpose except for the asking of a question.

The PRESIDING OFFICER. The Senator has a right to yield or not, as he chooses; but under the rule he can yield only for a question.

Mr. WILEY. Mr. President, does the Senator know that a recent report by some of the leading economists of this country shows that in 1929 about \$17,000,000,000 went into new industry from the earnings of this country, and in 1937 only about \$6,000,000,000?

Mr. DOWNEY. I know that that is not accurate. I hold in my hand tables which are admitted by all the economists and statisticians to be approximately correct, and the figures in those tables indicate a condition totally different from that suggested by the Senator from Wisconsin. As a matter of fact, these figures show, as the distinguished Senator from Wyoming will bear me out, that in 1937 equipment and machinery investments by business enterprises had returned to 95 percent, in money value, of what they were in 1929, and since prices of those durable goods were lower by about 5 or 10 percent, there was actually more machinery and equipment purchased in 1937 by the great enterprises than in 1929.

As a matter of fact, there was only one capital formation field which in 1937 was not almost back to the average level of 1920 and 1929, and that field was the residential construction field. Residential construction is now far below what it was in the twenties, and some New Deal leaders are counting upon the day when we will spend as much money in residential construction as we did in the 1920's, entirely oblivious to the fact that from 1910 to 1920 our population increased 16,000,000; that from 1920 to 1930 our population increased 16,000,000; and that in this decade it has increased only 8,000,000. Moreover, the great building boom of 1923, 1924,

and 1925, when residential construction reached its maximum, had several years of the war upon which to feed. So that in the decade of 1920 we were virtually constructing for an increasing population of twenty-two or twenty-three million people. In the coming decade we will not have to construct houses for half that many.

Professor Hansen, who testified, stated that residential construction uniformly kept pace with the increase of population, and since our population was rapidly declining, we could never again hope to get back to the residential construction figures of the 1920's. If the distinguished Senator from Wisconsin will read the figures which I have handed to him, he will see that in capital formation in 1937 we had almost returned to the condition of the year 1929, and had returned to the condition of the year 1925 in everything except residential construction.

Mr. President, I am about to conclude for this evening—

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. ADAMS. The Senator used an expression, and I am not merely—

Mr. NEELY. I object to the Senator from California yielding except for a question.

The PRESIDING OFFICER. The Senator from California will yield at his own risk unless the Senator to whom he yields propounds a question.

Mr. ADAMS. I will say that it is also at the risk of the Senator's bill.

Mr. DOWNEY. I did not hear the Senator's statement.

Mr. ADAMS. I wanted to ask the Senator a question.

Mr. DOWNEY. Let me first say to the Senator from West Virginia that I am about to conclude. I yield to the Senator from Colorado.

Mr. ADAMS. The Senator used the expression "excess savings," and stated they amounted to \$8,000,000,000. I wonder whether he can explain just what he meant. I have heard the expression used before, and it was not clear to me. I have had the feeling that savings are a very desirable thing in the Nation.

Mr. DOWNEY. I am very happy, first, to state to the distinguished Senator that very possibly I used the expression a little inaccurately. When I used the expression "excess savings," I meant the amount of savings that could not be absorbed in capital formation.

I may state to the distinguished Senator that today we have about \$6,000,000,000 of excess savings. Four billion dollars of those excess savings are being taken up by Government borrowing. That may cause the Senator to say that they are not excess savings, but I wish to point out to him that public or private borrowings are merely ephemeral operations, and that in any long-time, prospective economy, unless our statesmen realize that we dare not accumulate more savings out of the industrial income than we can utilize in building hotels or apartment houses or farm buildings or machinery or factories, indubitably we will crash. I may further say to the distinguished Senator that we should recollect that the savings of past generations made our capital goods possible, but likewise our capital goods made our savings possible. In other words, when savings pass into a bank they stagnate there, and with them an equal amount of wealth, unless the Government borrows it, or some individual or consumer credit borrows it. I should be very happy indeed to discuss this question later with the Senator from Colorado.

Mr. President, a word or two more, and I shall have concluded.

Mr. O'MAHONEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Wyoming?

Mr. DOWNEY. I yield.

Mr. O'MAHONEY. Before the Senator leaves this phase of his discussion, perhaps it would be more illuminating to those of us who are listening if he were to develop a little more in detail the conclusion he has reached with respect to the character of future economy, inasmuch as he has

based his argument upon the premise it is now impossible to invest the savings in the capital-goods industry.

Mr. DOWNEY. I shall be very happy indeed to do so. I do not wish to intrude upon this body too long tonight, but I am very happy to answer.

At the present time, going into the banks and insurance companies, are about \$6,000,000,000 that come out in the form of credits to farms and factories. The Federal Government, as I have said, is borrowing \$4,000,000,000 of that, and restoring it to commerce through the relief workers, and if the Government were not doing it, a corresponding \$4,000,000,000 of inventories would undoubtedly accumulate, just as was the case in 1937.

I have already said to the distinguished Senator that \$8,000,000,000 of excess savings accumulated in 1936, and \$6,000,000,000 is now accumulated. Our income is lower now than it was in 1937. Consequently we are saving about \$2,000,000,000 less. We are taking away \$4,000,000,000 by public borrowing.

I should like to impress upon the Senate that \$2,000,000,000 of excess savings is being restored to the consumptive stream by the losses largely of our farmers. As a lawyer I have handled transactions by the hundreds, and what is happening in the Sacramento Valley and elsewhere in California is an index of what is happening throughout the Nation. In California farmers, after a tragic era of loss, are again faced with a similar situation; they are unable to sell their products at the cost of production. Oftentimes some farmer has come into my office to see me and has said, "Mr. Downey, I have lost \$5,000 on this year's operations. Can you help me mortgage my farm, or sell some stocks and bonds?" I might know some businessman who had \$5,000 in excess savings which he had not invested, and I could arrange for the borrower, who had suffered a loss on his crop, to take the \$5,000 of excess savings out of the hands of the businessman, and thus was it restored to the consumptive stream.

In the year 1938, the losses of our farmers and the classes largely dependent upon them in my opinion exceeded by \$2,000,000,000 the losses in 1937.

I realize that losses are a part of the profit-and-loss system we have, as are gains. But certainly when the farmers produce crops for which tens of millions hunger, and they cannot sell them, losses thus made must be ascribed to a faulty mechanism rather than to our type of economy.

Mr. O'MAHONEY. Mr. President, will the Senator again yield?

Mr. DOWNEY. I have not yet answered the Senator's question. I was just coming to it.

Mr. O'MAHONEY. I was wondering if the Senator was.

Mr. DOWNEY. In the United States at the present time we have about \$6,000,000,000 income from profits flowing into the hands of individuals in the form of incomes, rents, profits, and dividends. About \$6,000,000,000 is received from property incomes. Of that \$6,000,000,000 we estimate that \$4,000,000,000 is being saved. In other words, people who have already accumulated savings and property are not spending the incomes they received from their prior savings to the extent of about \$4,000,000,000. Those billions of dollars are flowing into the hands of the savings banks, the insurance companies, and the other great lending agencies, as was so graphically brought out before the committee presided over by the Senator from Wyoming.

The cash holdings of savings banks and commercial banks of this Nation are at an all-time high; the cash holdings of insurance companies in our commercial banks are at an all-time high; and the cash savings of all types of investors are at an all-time high. Their withdrawal undoubtedly would tend to break down the present faulty economy and to reduce the distress of our farmers and others who are in a system of unregulated competition compared to others.

Mr. President, if Senators desire to conserve a free country, there are only two things they can do, and they must be done, or, beyond doubt, we face regimentation and a dictatorship, with all that that means. I am talking now sheer mathematics and nothing else. There are two things we

must do. We must compel persons receiving incomes, to the extent they can no longer be utilized in building up this Nation, to spend them.

If Mr. Ford is allowed to make \$2,000,000 a year—and I do not want to deprive him of that right—and to keep \$500,000 or \$750,000, he must be compelled to spend it to the extent that it can no longer be used in building more automobile factories or more factories of some other kind. Consequently, I would propose a tax upon the unearned incomes of the Nation, upon incomes flowing from property, compelling the expenditure of such incomes for consumable goods, or their forfeiture to the public. In other words, I would say to the fortunate classes of America, "We want to protect your property; we want to protect your savings; but we say to you that when you withdraw from the business stream billions of dollars that can no longer be returned by capital formation, you are destroying your own right of saving and your own property." I say, Mr. President, that if that kind of a law were passed, within 6 months we would see released in the Nation \$4,000,000,000 of stagnant purchasing power, restoring our workers to employment, and allowing our industrial machines to operate at full capacity.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUNDEEN. The Senator then places human rights above property rights.

Mr. DOWNEY. I hope I do, but let me say that I am here merely talking sheer mathematics. As the honorable Senator from Wyoming will recall, Mr. Sloan, Mr. Young, Mr. Stettinius, every one who testified before the Monopoly Committee, including eminent economists, said that the great business enterprises of America are now developing out of their own earnings, by way of appreciation of funds and surpluses, all the capital that can be used in this Nation in the future.

Mr. Sloan said, "We do not want any more money from outside sources. If we want to promote the Diesel engine we are prepared to advance a hundred million dollars to promote it." A distinguished man from the aircraft industry said the same thing. That is undoubtedly true. Our great business enterprises have reached such a condition that out of their own earnings they produce all the capital that can from now on be utilized in the American Nation, and at a subsequent time I should like to discuss the figures so graphically developed in the report made by the committee headed by the distinguished Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, the Senator will recall—

Mr. NEELY. Mr. President, I unwillingly object.

Mr. O'MAHONEY. If the Senator will pardon me I shall ask a question. Does the Senator from West Virginia desire to object?

Mr. NEELY. I am unwillingly compelled to object to anything except a question.

Mr. O'MAHONEY. Mr. President, I shall propound a question, if the Senator from California will permit me to do so, and when the Senator from California has concluded his speech perhaps I myself may have something to say.

Mr. DOWNEY. Mr. President, I will say to the Senator from Wyoming that I am placed in a very unhappy and embarrassing position, and I wish he would assist me. I shall be only too delighted to engage in colloquy when the bill of the Senator from Kentucky [Mr. BARKLEY] is before the Senate for consideration. That bill apparently is an outcome of the hearings before the Economic Committee. I think I should now conclude very rapidly, in view of the long wait which the Senator from West Virginia [Mr. NEELY] has on the block-booking bill. I wish the Senator from Wyoming [Mr. O'MAHONEY] would cooperate with me, and not speak after I have concluded.

Mr. O'MAHONEY. I shall withdraw my request to the Senator to yield out of deference to his desire.

Mr. DOWNEY. I am deeply grateful for what the Senator from Wyoming has just said, but I must admit my sympathy

for the distinguished Senator from West Virginia. For months he has been endeavoring to obtain consideration of a bill in which he is greatly interested. That consideration is long overdue. I should have closed my speech an hour or so ago, and I regret having spoken for so long.

I shall conclude by saying that, in my opinion, the great masses of American people can never again save, and any attempt on their part to save will break down our economy. As a matter of practical fact, every Senator knows that four out of five men past 50 years of age are "broke" today, living in the chill shadow of poverty, which will close down upon them whenever they lose their jobs. I shall not enter into any discussion as to whether or not they should have saved or could have saved. It is a simple fact that millions of our fellow citizens past 60 years of age, the best men and women in the Nation, who have builded the farms and the factories by virtue of which we live, are in desperate want in an opulent nation which could lavishly provide for them.

A Senator must take one of two positions. Either we cannot distribute our wealth under a free economy and a capitalistic system, or we have not the will or the intelligence to do so. I am unwilling to take either of those positions, because I know the high honesty, ability, and devotion to society of the Members of this body.

So far as pensions are concerned, I think the American Nation has had a blind spot. That blind spot has existed because we came out of an agrarian civilization in which 90 percent of our people lived upon farms, a system under which the older members of the family could gracefully, honestly, and easily be absorbed into the farm economy with dignity and security as they grew older.

One of the Senators before the Finance Committee took the position that it was the duty of the children to support the parents. I would reply to him by saying that 50 percent of our younger married people themselves live in insecurity and despair, and cannot decently support their parents. We have passed into a highly mechanized urban civilization, with tremendous concentrations of wealth and population. God help four out of five of our retired workers in the next 10 or 15 years, as they lose their jobs, use up their scanty savings, and have to impose themselves upon children who cannot support their own families.

It has been said to me that I have too great a concern for the retired workers and the senior citizens. I have concern for the babies of this Nation, who, lacking milk and sustenance, are doomed to a life of disease which could be avoided. I have sympathy for the 5,000,000 youngsters between 16 and 24, hopelessly seeking jobs, first with hope in their hearts and then with despair. I have sympathy for the millions upon millions of unemployed, for the W. P. A. worker trying to live and support a family of four or five on \$50 or \$60 a month. I sympathize with those people. No one defends such conditions. There is no one who does not bewail those facts.

However, the Social Security Act is acclaimed as a great achievement, when in reality it is a plat of poverty projected 50 years ahead of time. What disturbs me is that the leaders of social security in Washington honestly believe they have done a great job in this plan, which would give \$20 or \$30 a month to our retired workers.

I wish some Senator would undertake with me to live for one month on \$20, and then come back and report to our colleagues the misery, horror, and degradation of it. I have not the courage or hardihood to undertake it alone. I cannot live on 5 or 10 cents a meal in some miserable, lousy hovel, as most of our elderly people have to do.

For some reason we have a blind spot in this opulent land. I say we must change our social conception. Let the children support their parents, but let it be done by law. Let the younger generation support the retired worker and regard him as a retired partner who has builded this Nation for the rest of us.

Mr. President, if we in the Senate wish to do one great act, we have the power to lift millions upon millions of despairing elderly people out of the depths of degradation,

humiliation, and poverty which most of us would rather die than descend to.

Mr. President, the Social Security Act is born of a lack of vision. It springs from poverty. It never strikes above the eaves of the poorhouse. It is unfair to the workers in the contributory system. It will produce from them a political repercussion which in my opinion will be unequaled when once they realize what it is. At its best, it gives to our older people only enough to exist in misery and degradation.

I realize the tremendous import of these questions. I am not urging upon any Senator that he should vote for any measure in which I believe. I am now asking Senators, in decency and fairness, to vote to recommit to the Finance Committee this inequitable, unsound measure. Let us see if we cannot do better. Certain features of it should immediately be passed, such as freezing the pay-roll tax, reducing the reserve, and increased payments to the people in the poorer States. However, the greater issue is building a great plan to act as a uniform instrument of relief over the Nation. Let us not, in mercy, commit our hands and our voices to the approval of this bill today.

Mr. President, I ask the Senate to agree to my motion.

The PRESIDING OFFICER. The question is on the motion of the Senator from California [Mr. DOWNEY] to recommit the bill to the Committee on Finance.

Mr. DOWNEY. Mr. President, I ask for the yeas and nays on this question.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. HOLMAN (when his name was called). I have a general pair with the distinguished Senator from Tennessee [Mr. STEWART]. I do not know how he would vote, if present. If I were at liberty to vote, I should vote "yea." I withhold my vote.

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. McKELLAR]. Not knowing how he would vote, if present, I withhold my vote.

The roll call was concluded.

Mr. HALE (after having voted in the affirmative). I have a general pair with the junior Senator from South Carolina [Mr. BYRNES]. Not being able to transfer my pair with him, I withdraw my vote.

Mr. SHIPSTEAD. I have a general pair with the senior Senator from Virginia [Mr. GLASS]. Not being informed how he would vote, if present, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. HARRISON (after having voted in the negative). I have a general pair with the senior Senator from Oregon [Mr. McNARY]. I understand that if he were present he would vote "yea." I transfer my pair with him to the senior Senator from North Carolina [Mr. BAILEY] and will permit my vote to stand.

Mr. MINTON. I announce that the Senator from New Jersey [Mr. SMATHERS] is detained from the Senate because of illness in his family.

The Senators from Tennessee [Mr. McKELLAR and Mr. STEWART], the Senator from Texas [Mr. CONNALLY], the Senator from Nebraska [Mr. BURKE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Arkansas [Mr. MILLER] are members of the committee appointed to attend the funeral of the late Representative McREYNOLDS, and are, therefore, necessarily absent.

The Senator from Florida [Mr. ANDREWS], the Senator from Missouri [Mr. CLARK], and the Senator from Ohio [Mr. DONAHAY] are detained in various Government Departments.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from South Carolina [Mr. BYRNES], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Kentucky [Mr. LOGAN], the Senator from Nevada [Mr. McCARRAN], the Senator from Florida [Mr. PEPPER], the Senator from Maryland [Mr. TYDINGS], the Senator from Virginia [Mr. GLASS], the Senator from West Virginia

[Mr. HOLT], and the Senator from Idaho [Mr. CLARK] are absent on important public business.

The Senator from Florida [Mr. PEPPER] is paired with the Senator from Maryland [Mr. TYDINGS]. I am not advised how the Senator from Florida, if present and voting, would vote. It is my information that the Senator from Maryland would vote "nay."

The Senator from Montana [Mr. MURRAY] is absent on official business. I am advised that if present he would vote "yea."

Mr. AUSTIN. The Senator from Michigan [Mr. VANDENBERG] has a pair with the Senator from Alabama [Mr. BANKHEAD]. I am advised that if present the Senator from Michigan would vote "yea," and the Senator from Alabama would vote "nay."

The Senator from Pennsylvania [Mr. DAVIS] has a general pair with the Senator from Kentucky [Mr. LOGAN]. The Senator from Pennsylvania has been called away on important public business.

The result was announced—yeas 18, nays 47, as follows:

YEAS—18

Barbour
Bridges
Downey
Frazier
Gurney

Johnson, Calif.
Lodge
Lundeen
Nye
O'Mahoney

Reed
Schwartz
Taft
Thomas, Okla.
Tobey

Wheeler
White
Wiley

NAYS—47

Adams
Ashurst
Austin
Barkley
Bilbo
Bone
Bulow
Byrd
Capper
Chavez
Danaher
Ellender

George
Gerry
Gibson
Gillette
Green
Guffey
Harrison
Hatch
Hayden
Herring
Hill
Hughes

Johnson, Colo.
King
La Follette
Lee
Lucas
Maloney
Mead
Minton
Neely
Norris
Overton
Pittman

Radcliffe
Reynolds
Russell
Schwellenbach
Sheppard
Slattery
Smith
Thomas, Utah
Van Nuys
Wagner
Walsh

NOT VOTING—31

Andrews
Bailey
Bankhead
Borah
Brown
Burke
Byrnes
Caraway

Clark, Idaho
Clark, Mo.
Connally
Davis
Donahay
Glass
Hale
Holman

Holt
Logan
McCarran
McKellar
McNary
Miller
Murray
Pepper

Shipstead
Smathers
Stewart
Townsend
Truman
Tydings
Vandenberg

So Mr. DOWNEY's motion to recommit the bill was rejected.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 289. An act for the relief of the West Virginia Co.;

S. 1575. An act to provide that the annual registration of motor vehicles and the annual licensing of certain public vehicles in the District of Columbia shall be for the period from April 1 in each year to March 31 in the succeeding year; and

S. 2336. An act to authorize an exchange of lands at the Fort Francis E. Warren Military Reservation, Wyo.

AMENDMENT OF SOCIAL SECURITY ACT

The Senate resumed the consideration of the bill (H. R. 6635) to amend the Social Security Act, and for other purposes.

Mr. JOHNSON of Colorado. Mr. President, I send to the desk an amendment, which I ask to have printed and lie on the table.

Mr. HARRISON. Mr. President, I had hoped we might finish the bill tonight. Will not the Senator offer the amendment tonight?

Mr. JOHNSON of Colorado. Very well. I will offer it now if the Senator wishes to finish the bill tonight.

Mr. HARRISON. I hope we may finish the bill tonight.

Mr. JOHNSON of Colorado. I shall ask immediate consideration of the amendment if the Senator is going ahead with the bill.

Mr. HARRISON. Very well.

Mr. JOHNSON of Colorado. I offer the amendment, and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 2, line 2, after the word "State", it is proposed to insert:

and, effective January 1, 1941, such financial participation shall amount to not less than \$10 each month with respect to each needy individual receiving old-age assistance for the month.

Mr. JOHNSON of Colorado. Mr. President, the purpose of this amendment, which is quite obvious from reading it, is to require the States after January 1, 1941, to pay at least \$10 per month to the recipients of old-age pensions.

Yesterday we had before us an amendment requiring the Federal Government to put up \$10 to the State's first \$5. In the pending measure we place a ceiling of \$40 per month on pensions, and it seems to me it is perfectly reasonable and proper that we should put a bottom on the pensions.

I heard what the Senator from Kentucky [Mr. BARKLEY] said yesterday about his disappointment over the way the States have responded to the opportunity which the Congress gave them to provide pensions for their aged citizens. I heard what the other Senators have said. They have all testified that all of the States which pay low pensions could do much better than they are doing.

Mr. WALSH. Mr. President, does the Senator's amendment provide that the minimum contribution by any State to any individual over 65 years of age shall be \$10, in order to entitle him to receive \$15 from the Federal Government?

Mr. JOHNSON of Colorado. No; the average for the State must be at least \$10.

Mr. WALSH. So that in one community the amount might be smaller and in another larger, but the average for the State must be \$10 in order to entitle the State to \$15 of Federal money?

Mr. JOHNSON of Colorado. In order to bring the State into the approved plan.

Mr. WALSH. The only way in which they can be punished is by taking away the \$15.

Mr. JOHNSON of Colorado. Taking away everything from them unless they pay the \$10.

Mr. WALSH. So that the Senator's amendment provides that the average contribution to individuals over 65 years of age shall be \$10 per person?

Mr. JOHNSON of Colorado. That is correct. That is, beginning on January 1, 1941.

Mr. WALSH. Beginning January 1, 1941?

Mr. JOHNSON of Colorado. That is correct.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. We have already adopted an amendment offered by the Senator from Texas [Mr. CONNALLY] providing that of the first \$15 the Federal Government shall put up \$10 and the State \$5. That is the requirement.

Mr. JOHNSON of Colorado. Yes.

Mr. BARKLEY. I can understand how a State could be required to put up a minimum amount as its share of the contribution under the plan which has been adopted, but I am wondering how the Senator's amendment would fit in with the amendment already adopted, under which up to \$15 it is a 2-to-1 proposition, whereas the Senator's amendment provides for an average of \$10. How would that dovetail into the 2-for-1 up to \$15?

Mr. JOHNSON of Colorado. It would work in this way. The minimum pension would be \$25; the Federal portion of it would be \$15, and the State portion would be \$10. So the pension would be \$25.

Mr. BARKLEY. I understood that the Senator, in answer to another question, stated it was an average of \$10.

Mr. JOHNSON of Colorado. It is an average.

Mr. BARKLEY. It would have to be a minimum average of \$10.

Mr. JOHNSON of Colorado. Yes.

Mr. BARKLEY. Of course, if the State put up \$5 and the Federal Government \$10, as provided in the Connally amendment, the pension in that case would be \$15, and I do not see how it fits in with an average of \$10.

Mr. JOHNSON of Colorado. What is the average at the present time?

Mr. BARKLEY. It varies, of course.

Mr. JOHNSON of Colorado. How low is it?

Mr. BARKLEY. It is as low as \$6 in some States.

Mr. JOHNSON of Colorado. Yes; it is as low as \$6 in States putting up \$3 plus. Under the Connally amendment, that situation is not changed in the slightest degree, except that the Federal Government puts up two-thirds. In other words, the State of Arkansas is paying \$6 now, and under the Connally amendment the State of Arkansas would pay \$9. Under my arrangement the State of Arkansas would pay \$25; and there is a vast difference.

Mr. BARKLEY. That would make more than an average of \$10-a-month pension, would it not?

Mr. JOHNSON of Colorado. The State of Arkansas would pay an average of \$25.

Mr. HATCH and Mr. WAGNER addressed the Chair.

The VICE PRESIDENT. Does the Senator from Colorado yield; and if so, to whom?

Mr. JOHNSON of Colorado. The Senator from New Mexico was on his feet first, and I yield to him first.

Mr. HATCH. I wish to be sure about one thing in the Senator's amendment. Suppose there should be a State, my State or any other State, which could not raise \$10 a month; what would happen in such a State?

Mr. JOHNSON of Colorado. It would lose its Federal contribution entirely. I heard what Senators from the so-called poorer States, the States which are not paying pensions, said on the floor yesterday. They said, "Better that we have no pensions than this dime-a-day pension." That is what they said, and I am taking them at their word.

Mr. HATCH. The Senator did not hear me make that statement.

Mr. JOHNSON of Colorado. No; I did not hear the Senator from New Mexico make the statement; but it was heard here, and it has been heard here frequently in the discussion of the pending bill.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WHITE. Am I to understand that the Senator's proposal is that the average contribution shall be \$10, or not less than \$10?

Mr. JOHNSON of Colorado. Not less than \$10.

I now yield to the Senator from New York.

Mr. WAGNER. As I now understand the amendment, it means that in every case in which the Federal Government participates, or makes a contribution to a State, the minimum pension will be \$25.

Mr. JOHNSON of Colorado. That is correct.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BILBO. I desire to ask the Senator how he reconciles such a compulsory proposal with the inherent rights of a sovereign State. I can understand how the Government can make a tender on condition that a State will accept it and do certain things, but for Congress to say to a State that they must do this or forfeit their right—and a State might not be able to raise the money—I think is outrageous.

Mr. JOHNSON of Colorado. The States do not have to accept it at all; they do not have to accept the Federal money.

Mr. BILBO. But the Senator is going to rob the State of the chance to get even a small part of the contribution.

Mr. JOHNSON of Colorado. The purpose of the amendment is to get rid of disgracefully low pensions. I heard what the Senator from Kentucky said yesterday about his great disappointment. As I recall his remarks, he stated that when the pension program was first enacted by the Congress, it was the objective and the purpose and the hope

that the States would all enact pension legislation and that it was his hope that all pensioners would receive \$30; but that he had been disappointed in the result; that the matter had been going on and on, and we were continuing to give money to the States, continuing to pay disgracefully low pensions, and that his patience was about exhausted. My patience is exhausted, and I believe that the patience of the Congress is being exhausted at the response the States have made to the liberal proposals which have been made to them on the part of the Federal Government.

Mr. BARKLEY. Mr. President, will the Senator yield for another question?

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. I do not yet understand the Senator's amendment clearly.

Mr. JOHNSON of Colorado. I wish the clerk would read the amendment again.

Mr. BARKLEY. I think I am in sympathy with what the Senator is trying to accomplish, but I want to be sure I understand it, because he used the term, "average of \$10." Did the Senator mean that the average pension drawn by the pensioner would be \$10, or that the average contribution by each State must be \$10, or that the minimum of the contribution by the State should be \$10?

Mr. JOHNSON of Colorado. I regret that the amendment is not before Senators in printed form. I understood the bill was to go over. But I ask that the clerk read the amendment again, so that the Senator from Kentucky will have it in mind.

The VICE PRESIDENT. Does the Senator desire to have the amendment reread?

Mr. JOHNSON of Colorado. Yes; I should like to have the amendment read.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 2, line 2, after the word "State", it is proposed to insert "and, effective January 1, 1941, such financial participation shall amount to not less than \$10 each month with respect to each needy individual receiving old-age assistance for the month."

Mr. BARKLEY. Now let me ask the Senator how he arrives at his figure of \$25 a month pension. How does he assume that the Federal Government puts up \$15 in order to make the amount \$25?

Mr. JOHNSON of Colorado. Twenty-five dollars is the minimum. This is the way it would work. We will suppose, for instance, that the State of Kentucky pays pensions to 10,000 persons.

Mr. BARKLEY. The number is about 40,000.

Mr. JOHNSON of Colorado. I did not know what the number was, but I used 10,000 as an arbitrary number, because I wanted to make the multiplications easily. We will say the State is paying pensions to 10,000 people. Under the present plan the State of Kentucky would have to pay 10,000 people at least \$10 apiece.

Mr. BARKLEY. A month.

Mr. JOHNSON of Colorado. Each month, yes; in order to have an approved plan.

Mr. BARKLEY. I am afraid that interferes with the provisions of the Connally amendment, under which up to an average of \$15 a month the Federal Government puts up \$10 and the State \$5. If the State is required to contribute a minimum of \$10 in each case, and if the Federal Government contributes \$10, that will make an average of \$20, so that the two-to-one proposition as carried in the Connally amendment would not apply. Is that correct?

Mr. JOHNSON of Colorado. The Connally amendment would apply; yes.

Mr. BARKLEY. Does the amendment of the Senator from Colorado superimpose itself on the 2 to 1 figure of the Connally amendment?

Mr. JOHNSON of Colorado. The Connally amendment is a formula, and under the Connally amendment the Federal Government puts up \$10 for the first \$5 that the State puts up. Then for the next \$5 the Government puts up \$5.

Mr. BARKLEY. That makes a total of \$25?

Mr. JOHNSON of Colorado. Yes.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Colorado [Mr. JOHNSON].

Mr. JOHNSON of Colorado. I ask for the yeas and nays. The yeas and nays were ordered.

Mr. HARRISON. I merely wish to state before the vote is taken that if each State must put up \$10 each month for each individual on the State rolls, as is proposed in the amendment—it is not the average as anyone who hears it read may assume, but the minimum is \$10 for each individual which each State must put up in order to get this Federal assistance—none of the States would qualify for all their pensions. Thirty-one States would be excluded from getting the Federal assistance even on the basis of an average requirement. But this means more than an average of \$10 State money per case. It means \$10 State money as a minimum per beneficiary.

Mr. O'MAHONEY. I wish to remark that the table which was put into the RECORD by the Senator from South Carolina 2 or 3 days ago indicates that there are 28 States in the Union in which the total average receipts is less than \$20.

Mr. HARRISON. The figures show that 31 States would be excluded even on an average basis. No State at present pays a \$25 pension, but the minimum pension payment considers the other income of an individual.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Colorado [Mr. JOHNSON].

Mr. LEE. Mr. President, I wish the Senator from Michigan [Mr. VANDENBERG] were here, because I intend to refer to the debate we had yesterday on the amendment which I offered to the bill. I shall read from the RECORD of yesterday:

Mr. VANDENBERG. I mean to say to the Senator that for 7 years we have failed by \$3,000,000,000 a year to find the money with which to pay our bills.

Mr. LEE. Because the Finance Committee has not brought in a tax bill to accomplish that, and every time we offer a tax bill the Senator is one of the first to say, "Let us not stifle business."

Mr. VANDENBERG. The Senator knows that is not accurate if he is familiar with the RECORD. I have voted for every increased tax amendment proposed by the distinguished Senator from Wisconsin [Mr. LA FOLLETTE]. I have voted for every increased tax that has been proposed in the Senate for the purpose of paying the Government's bills, and I cannot do any more than that.

Now, Mr. President, I wish to refer to the RECORD because on the vote on the revenue bill of 1935, which was taken on August 14, 1935, on H. R. 8974, Seventy-fourth Congress, the Senator from Michigan [Mr. VANDENBERG] made a long speech, several pages in length, against the bill and in support of his own motion which was to recommit that revenue bill. That tax bill, according to the Senator's own figures here, was estimated to raise \$270,000,000 additional revenue above that being received. Senator VANDENBERG's own words are:

Second, if—

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. AUSTIN. I should like to have the RECORD show that the distinguished Senator from Michigan [Mr. VANDENBERG] is necessarily temporarily absent from the Senate.

Mr. LEE. I am glad to have that shown.

Quoting from the Senator's speech of August 14, 1935, appearing on page 13044 of the CONGRESSIONAL RECORD:

Second, if we must have an ill-timed and ill-starred tax bill, should it be a tinfoil measure—and when I speak of it as a tinfoil measure I mean no disrespect to \$270,000,000 as such. That still is an enormous sum of money to take from the pockets of the American people, even in this New Deal day of astronomical calculations.

Then on page 13077 of the CONGRESSIONAL RECORD of August 14, 1935, there is a record vote giving the names of those voting "yea" or in support of the motion to recommit that tax bill of 1935. Remember that tax bill was estimated to increase the revenue \$270,000,000, according to Senator VANDENBERG's own statement. Now everyone knows a motion and a vote to recommit is a motion and a vote to kill.

Senator VANDENBERG's name appears with those who voted to recommit. In column 4 his was the second name.

I refer again to the RECORD, Mr. President, on the vote on the tax measure of 1936, which was H. R. 12395 of the Seventy-fourth Congress. On page 9110 of the CONGRESSIONAL RECORD of June 5, 1936, there is a record vote on the tax bill of 1936, which bill, so I am unofficially informed, it was estimated, would greatly increase the revenues. We see Senator VANDENBERG's name among those voting "no." His name is the fifth name from the top of that column.

Therefore it seems that the Senator from Michigan is the one who did not know the record, or was not familiar with the record, or had forgotten the record when he suggested that the junior Senator from Oklahoma was not familiar with the record when I intimated that the Senator from Michigan [Mr. VANDENBERG] opposed tax measures that would increase the revenues, help balance the Budget which he is so interested in balancing, and which I too would like to balance. But different from the Senator from Michigan, I vote for such measures.

Mr. President, I just wanted to keep the record straight.

Mr. WALSH. Mr. President, before the vote is taken I should like to ask a question of the Senator from Colorado [Mr. JOHNSON]. Regardless of where the money comes from, whether from a State, or nationally, the net result of the Senator's amendment would be that the average payment to a person 65 years of age would be \$25 in every part of the country?

Mr. JOHNSON of Colorado. That is correct; in every part of the country.

Mr. GEORGE. Under the Senator's amendment the minimum payment any person on the rolls would receive would be \$25.

Mr. BARKLEY. I may ask the Senator from Mississippi [Mr. HARRISON] a question in connection with his remarks made a moment ago, and referring to my remarks of yesterday in which I expressed my disappointment that not only in my own State but in other States, the States had not matched the \$15 of Federal money. It so happens that in my State there is a campaign on now for Governor and for members of the legislature, and in all probability the next legislature, which will meet in January, will match the \$15 that is now being contributed by the Federal Government. But in the event they should not change the maximum of \$7.50, which is provided under the present law, and raise it to \$10 in every case, then in that event Kentucky would not participate at all in this old-age pension? Is that correct?

Mr. HARRISON. That is the way I understand it. Without question, the amendment as it is written says: "shall amount to not less than \$10 each month with respect to each needy individual receiving old-age assistance." It is not the average in the State.

Mr. BARKLEY. I understand.

Mr. HARRISON. It is the minimum.

Mr. BARKLEY. Of course, that raises a question in any State. I think it is an important matter for us to consider, in voting on the amendment, whether or not we are willing to say by the amendment that if the State does not provide by law for a minimum of \$10 in each case there shall be no pension at all, and that the Government of the United States shall even withdraw its contribution. That is, no doubt, a form of coercion on the States; and I am wondering whether or not it is wise now to attempt to coerce them with the threat that if they do not do as we wish, they will not receive anything.

Mr. JOHNSON of Colorado. Mr. President, it seems to me rather strange to draw the line at this kind of coercion, because the whole bill is based on the principle of coercion of the States, not only in the pension part of it but in the unemployment part of it. There is coercion all through it.

Mr. BARKLEY. It was not exactly coercion. It was cooperation. It was offering an inducement to the States to enter this field, which most of them had not entered.

Mr. JOHNSON of Colorado. My amendment is along the line of cooperation. The Senator asks what would happen in Kentucky if the State did not raise the money, and

whether or not it would be shut off entirely. It would be shut off entirely except insofar as it paid pensions; and whenever it paid a pension it would have to pay \$25. The Senator says Kentucky pays pensions to 40,000 people. Kentucky could pay pensions to 20,000 people, bringing up its average, and cut off 20,000 who have been given this pitifully small amount.

Mr. BARKLEY. Kentucky could not do that unless it raised the maximum State contribution from \$7.50 to \$10 in cases where a pension was paid at all. The number might be reduced from 40,000 to 20,000. That would not necessarily compel the State to pay a maximum of \$10, with \$15 from the Government, unless by law the maximum were raised from \$7.50, where it is now, to \$10, under the provisions of the Senator's amendment.

Mr. JOHNSON of Colorado. If the State paid a pension to anyone, it would have to pay \$25.

Mr. BARKLEY. Yes; and if the State did not provide for such payment by State law, it would not participate in the pension fund.

Mr. JOHNSON of Colorado. It is up to a State to say to whom the pension shall be paid.

Mr. ANDREWS. Mr. President, no doubt the policy of the amendment is good in some States. However, many of us in the poorer States are faced with facts.

The Legislature of the State of Florida does not convene for 2 years. At present, I understand, there is not sufficient money appropriated to provide for an old-age pension of \$10 per month to be paid by the State. That means absolutely that under this amendment those who have been receiving a pension in Florida might not receive anything at all for the next 2 years.

I shall, therefore, have to oppose the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. JOHNSON]. On that amendment the yeas and nays have been demanded and ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HALE (when his name was called). I have a general pair with the junior Senator from South Carolina [Mr. BYRNES] who, I understand, would vote "nay", if present. I transfer that pair to the senior Senator from Michigan [Mr. VANDENBERG], and will vote. I vote "yea." I am advised that the Senator from Michigan would vote "yea" if present.

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS]. I am not informed how he would vote. If permitted to vote, I would vote "yea." I withhold my vote.

Mr. TOWNSEND (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. McKELLAR], who is detained from the Senate attending a funeral. Not knowing how he would vote, I withhold my vote.

The roll call was concluded.

Mr. HARRISON (after having voted in the negative). Making the same announcement as before with regard to my pair with the Senator from Oregon [Mr. McNARY] and its transfer, and I will permit my vote to stand.

Mr. MINTON. I announce that the Senator from New Jersey [Mr. SMATHERS] is detained from the Senate because of illness in his family.

The Senators from Tennessee [Mr. McKELLAR and Mr. STEWART], the Senator from Texas [Mr. CONNALLY], the Senator from Nebraska [Mr. BURKE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Arkansas [Mr. MILLER] are members of the committee appointed to attend the funeral of the late Representative McReynolds and are therefore necessarily absent.

The Senator from Missouri [Mr. CLARK] and the Senator from Ohio [Mr. DONAHEY] are detained in various Government departments.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from South Carolina [Mr. BYRNES], the Senator from Arkansas [Mr. CARAWAY],

the Senator from California [Mr. DOWNEY], the Senator from Kentucky [Mr. LOGAN], the Senator from Nevada [Mr. McCARRAN], the Senator from Florida [Mr. PEPPER], the Senator from Maryland [Mr. TYDINGS], the Senator from Virginia [Mr. GLASS], and the Senator from Idaho [Mr. CLARK] are absent on important public business.

The Senator from Florida [Mr. PEPPER] is paired with the Senator from Maryland [Mr. TYDINGS].

Mr. AUSTIN. The Senator from Pennsylvania [Mr. DAVIS] is absent on important public business. He has a general pair with the Senator from Kentucky [Mr. LOGAN].

The Senator from Oregon [Mr. HOLMAN] would vote "yea" if present. He has a general pair with the Senator from Tennessee [Mr. STEWART].

The Senator from Oregon [Mr. McNARY] is necessarily absent. His pair and transfer have been stated by the Senator from Mississippi [Mr. HARRISON].

The result was announced—yeas 37, nays 31, as follows:

YEAS—37

Adams	Gibson	Maloney	Taft
Austin	Green	Mead	Thomas, Okla.
Barbour	Gurney	Murray	Tobey
Bridges	Hale	Neely	Walsh
Byrd	Holt	Norris	Wheeler
Capper	Johnson, Calif.	Nye	White
Chavez	Johnson, Colo.	O'Mahoney	Wiley
Danaher	La Follette	Reed	
Frazier	Lodge	Reynolds	
Gerry	Lundeen	Schwartz	

NAYS—31

Andrews	Gillette	King	Schwellenbach
Ashurst	Guffey	Lee	Sheppard
Barkley	Harrison	Lucas	Slattery
Bilbo	Hatch	Minton	Smith
Bone	Hayden	Overton	Thomas, Utah
Bulow	Herring	Pittman	Van Nuys
Ellender	Hill	Radcliffe	Wagner
George	Hughes	Russell	

NOT VOTING—28

Bailey	Clark, Idaho	Holman	Shipstead
Bankhead	Clark, Mo.	Logan	Smathers
Borah	Connally	McCarran	Stewart
Brown	Davis	McKellar	Townsend
Burke	Donahay	McNary	Truman
Byrnes	Downey	Miller	Tydings
Caraway	Glass	Pepper	Vandenberg

So the amendment of Mr. JOHNSON of Colorado was agreed to.

The PRESIDENT pro tempore. The bill is still before the Senate and open to further amendment.

Mr. HAYDEN. Mr. President, I ask the clerk to read the printed amendment which I have at the desk.

The PRESIDENT pro tempore. The amendment offered by the Senator from Arizona will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following new title:

TITLE X

The Social Security Act is amended by adding at the end thereof a new title as follows:

"TITLE XII—AID TO INDIANS

"Sec. 1201. From the sums appropriated for titles I, IV, and X, respectively, the Secretary of the Treasury shall pay to each State which has, under any such title, an approved plan that includes Indians upon the same conditions as other persons covered by such plan, for each quarter, beginning with the quarter commencing July 1, 1939, an amount, which shall be used exclusively as aid to Indians, equal to the total of the sums expended during such quarter as aid to such Indians under such State plan, such amount to be in addition to the amount paid the State with respect to sums expended for other persons.

"Sec. 1202. For the purposes of this act the term 'Indian' shall include all persons of Indian blood who are members of a tribe, pueblo, band, community, or other group now or hereafter recognized by the Congress or the Secretary of the Interior, and who reside on a reservation or on other lands set aside or established for Indian use and occupancy: *Provided*, That the term 'Indian' shall also include all Indian and Eskimo natives of Alaska who are of one-half or more Indian or Eskimo blood, certified as such by the Secretary of the Interior or by any other officer duly designated by him. The records of the Department of the Interior and of the Indian Service shall be prima facie evidence of the facts shown thereon as to tribal membership, age, sex, and degree of Indian blood.

"Sec. 1203. The Commissioner of Indian Affairs of the Department of the Interior is hereby authorized to enter into arrangements with any State agency charged with the administration of a State plan approved by the Board under titles I, IV, or X to use

any agency or agencies of the Office of Indian Affairs in the administration of any such plan with respect to Indians."

Mr. HAYDEN. Mr. President, from the beginning of this Government Indians have been considered to be wards of the United States, and the aged dependent Indians of all kinds have been cared for by the United States.

Under the terms of this bill, Indians are to receive the same benefits as all other citizens, but half of the cost is to be charged to the States. It is to avoid that situation that I have offered this amendment. The amendment is quite similar to and in effect identical with one which I submitted to the committee—that is, that Indians shall receive the same benefits as white persons, but that the entire cost shall be paid by the United States.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WHEELER. I call the Senator's attention to the fact that throughout the West the States receive no taxes or other income from the various Indian reservations, but everything goes to the particular Indians concerned.

Mr. HAYDEN. My State is the extreme example of that case. Arizona has over 19,000,000 acres in Indian reservations. It is the extreme example with respect to the number of Indians in proportion to the white population.

I ask permission to insert in the RECORD a table showing that in the State of Arizona over 10 percent of the population are Indians.

The PRESIDENT pro tempore. Without objection, the table will be printed in the RECORD.

The table is as follows:

State	Total population of the State	Indian population of the State	Percentage Indian population to total population
United States.....	122,775,046	332,397	0.27
Arizona.....	435,573	43,726	10.04
New Mexico.....	423,317	28,941	6.84
Nevada.....	91,058	4,871	5.35
Oklahoma.....	2,396,040	92,725	3.87
South Dakota.....	692,849	21,833	3.15
Montana.....	537,606	14,798	2.75
North Dakota.....	680,485	8,387	1.23
Wyoming.....	225,565	1,845	.82
Idaho.....	445,032	3,638	.82
Washington.....	1,563,396	11,253	.72
Utah.....	507,847	2,899	.57
North Carolina.....	3,170,276	16,579	.52
Oregon.....	953,786	4,776	.50
Minnesota.....	2,563,953	11,077	.43
Wisconsin.....	2,939,006	11,548	.39
California.....	5,677,251	19,212	.34
Nebraska.....	1,377,963	3,256	.24
Michigan.....	4,842,325	7,080	.15
Kansas.....	1,880,999	2,454	.13
New York.....	12,588,066	6,973	.06
All others.....	78,782,293	14,556	.02

Mr. HAYDEN. We have 435,573 white people. We have 43,726 Indians. If the 43,726 Indians had been counted in the last census we should have two Representatives in the House of Representatives; but, under the Constitution, Indians not taxed are eliminated.

That is one way of meeting the situation. The other way is to allow Indians to be left out of the social-security scheme.

When I had this matter before the committee, it was suggested that the committee would look with favor upon the second alternative. I desire to present the two propositions, and see which one the committee now is willing to accept. I am unwilling to allow the matter to pass with no action at all; and I ask the clerk to read, for the information of the Senate, the typewritten amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be read for the information of the Senate.

The legislative clerk read as follows:

On page 111, line 13, strike out the quotation mark.

On page 111, after line 13, insert a new section as follows:

"PROVISIONS RELATING TO INDIANS

"Sec. 1108. (a) Notwithstanding any other provisions of law, the Social Security Board shall not disapprove any State plan under

title I, IV, or X of this act because such plan does not apply to or include Indians.

"(b) For the purposes of this act the term 'Indian' shall include all persons of Indian blood who are members of a tribe, pueblo, band, community, or other group now or hereafter recognized by the Congress or the Secretary of the Interior and who reside on a reservation or on other lands set aside or established for Indian use and occupancy: *Provided*, That the term 'Indian' shall also include all Indian and Eskimo natives of Alaska who are of one-half or more Indian or Eskimo blood. The records of the Department of the Interior and of the Indian Service shall be prima facie evidence of the facts shown thereon as to tribal membership, age, sex, and degree of Indian blood."

Mr. HATCH. Mr. President, some of us are greatly interested in this amendment and in what the Senator from Arizona has to say about it. May we not have order in the Chamber?

The PRESIDENT pro tempore. Let there be order in the Chamber, please.

Mr. HAYDEN. Mr. President, in each case it was necessary to define what is an Indian. What we are talking about is an Indian who lives in a pueblo or on a reservation and is recognized by the Government or by the Indian Office. I am not referring to Indians who have departed from their tribal relations and have gone out into and become a part of our civilization. I am referring to Indians residing on nontaxed Indian lands.

I should like to inquire of the chairman of the committee what his view is with respect to the matter. Should we adopt the first proposition which I submitted to the committee and allow the Federal Government to bear the entire expense and give the Indians the same treatment as everybody else, or should we allow a State which cannot afford to pay this bill not to be penalized if it does not take care of the Indians?

Mr. HARRISON. Mr. President, I may say to the Senator that, of course, he is familiar with, because he has read, the letter of the Interior Department, which is very much opposed to the first proposal.

Mr. HAYDEN. I also have read, Mr. President, the report made to the Senator's committee by the Social Security Board recommending my proposal. It was transmitted to Congress by the President. It is as follows:

A number of States have a considerable Indian population, some of whom are still wards of the Federal Government. The Board believes that in cases where such individuals are in need of old-age assistance, aid to the blind, or aid to dependent children, the Federal Government should pay the entire cost. If this provision is made, the Board should be authorized to negotiate cooperative agreements with the proper State agencies so that aid to these Indians may be given in the same manner as to other persons in the State, the only difference being in the amount of the Federal contribution. The Board believes that it should also be given authority to grant funds to the Office of Indian Affairs for this purpose, if that appears more desirable in certain circumstances.

Mr. HARRISON. Mr. President, the committee gave consideration to this question. Personally, I have no objection to the last amendment. Let us vote on it and handle the matter in conference to the best of our ability.

Mr. HAYDEN. If that is the case, if the committee is willing to accept the second proposal, I offer it as a substitute for the first one, which I withdraw.

The PRESIDENT pro tempore. The Senator from Arizona withdraws the first amendment offered by him and offers in lieu thereof the second one, which has just been read for the information of the Senate.

The question is on agreeing to the second amendment offered by the Senator from Arizona.

The amendment was agreed to.

Mr. HARRISON. Mr. President, I send to the desk and offer an amendment which was suggested by the Treasury Department.

The PRESIDENT pro tempore. The amendment offered by the Senator from Mississippi on behalf of the committee will be stated.

The Chief Clerk read as follows:

Section 201 (f) is amended to read as follows:

"(f) The managing trustee is directed to pay from the trust fund into the Treasury the amount estimated by him and the Chairman of the Social Security Board which will be expended during a 3-month period by the Social Security Board and the Treasury Department for the administration of title II and title

VIII of this act and the Federal Insurance Contributions Act. Such payments shall be covered into the Treasury as repayments to the account for reimbursement of expenses incurred in connection with the administration of titles II and VIII of this act and the Federal Insurance Contributions Act. Such repayments shall not be available for expenditures but shall be carried to the surplus fund of the Treasury. If it subsequently appear that the estimates in any particular 3-month period were too high or too low, appropriate adjustments shall be made by the managing trustee in future payments."

Mr. HARRISON. The Treasury has requested the adoption of this amendment because of certain technical reasons. If the payments made by the trust fund to the Treasury for the cost incurred in administering title II and title VIII of the Social Security Act and the Federal Insurance Contributions Act were covered into the Treasury as provided in the reported bill, the receipts and expenditures would be overstated in the accounts of the Treasury by the amount so deposited.

Collections, when originally received, are classified in the Treasury accounts under "Social Security taxes"; and subsequently, under the existing provision, a portion would be deposited as "Miscellaneous receipts," thus overstating actual receipts. Also, when funds are expended from appropriations for administration of title II and title VIII of the Social Security Act and the Federal Insurance Contributions Act, such items would be shown as expenditures under "Social Security Board" and "Departmental," and the reimbursements for such expenses from the trust fund would also be shown as expenditures, unless such items are deposited as repayments instead of miscellaneous receipts.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Mississippi on behalf of the committee.

The amendment was agreed to.

Mr. HARRISON. Mr. President, I offer an amendment which is suggested by the Social Security Board to place the Federal share of administrative costs on the same basis as administrative costs for grants-in-aid to States for such costs in other allotments made by the Board.

The PRESIDENT pro tempore. The amendment offered by the Senator from Mississippi on behalf of the committee will be stated.

The CHIEF CLERK. In lieu of clause (2) of sections 3 (a) and 1003 (a), it is proposed to insert the following:

and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Board for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose.

Mr. HARRISON. Mr. President, at present the Federal Government participates in State old-age assistance and blind-assistance administrative costs by adding 5 percent to the amount of the Federal share of the benefit payment.

In the case of dependent children there is a different rule. The Federal Government under the law pays the same proportion of administrative costs as of benefit payments. This has been found more equitable and satisfactory; and this proposal is that instead of 5 percent of the total grant, the State will get half the administrative expense as found necessary by the Board in the case of old-age assistance and blind assistance.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Mississippi on behalf of the committee.

The amendment was agreed to.

Mr. REYNOLDS. Mr. President, I send to the desk an amendment, which I offer and ask to have read.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 116, line 4, it is proposed to insert a new section, as follows:

SEC. 904. Beginning with January 1, 1941, no provisions of the Social Security Act shall be operative or effective for foreign-born aliens who have not taken out their full American citizenship papers by that date or who do not become American citizens within 6 years after their entrance into this country: *Provided, however*, That all aliens not qualified for social-security benefits shall have

refunded to them the full amount of any contribution they may have made to the social-security fund before they became disqualified from participation in the benefits of this act through failure to comply with the citizenship requirements of the act: *Provided further*, That in the case of alien employers or American employers using alien laborers a tax equivalent to that collected from like American citizens shall be levied and collected as a "special privilege tax" for operating as aliens in this country in direct competition with American citizens.

Mr. REYNOLDS. Mr. President, I may state by way of explanation that the amendment which I have offered merely prohibits noncitizens—that is to say, aliens in this country—from participating in the benefits of the proposed act. I think the time has arrived when we should pay more attention to our own people and quit worrying about the citizens of other countries of the world. I do not see why American taxpayers should support citizens of other countries. I am merely asking that noncitizens of the United States not be supported by citizens of the United States. I ask for the yeas and nays.

Mr. WALSH. Mr. President, if this amendment is to be contested we should have time to study it and consider it. I do not know whether or not I am in sympathy with it. My first impulse is to be for it, but it is far reaching and important, and I think we ought to adjourn and give consideration and attention to the amendment tomorrow. I personally do not feel like going on record without an opportunity to study it, though I am sympathetic with the Senator's idea.

Let me ask the chairman of the committee whether he intends to accept the amendment and have it go to conference.

Mr. HARRISON. Mr. President, I do not say that I approve the amendment, as I have not had time to study all its implications. I am informed by the Social Security Board that it would create administrative difficulties. If I should accept it, it will merely be to place the whole problem in conference.

Mr. WALSH. Then let us adjourn and have a chance to study it before we vote on an amendment of this importance and consequence.

Mr. HARRISON. I have suggested another amendment to the Senator from North Carolina, and if he will offer that, we will let the matter go to conference. It is an amendment which deals with the question of payments being made outside of the United States. I do not necessarily give my approval to either this amendment or to the amendment offered by the Senator from North Carolina, but am submitting additional language only because I feel that if there are any limitations to be placed on the payments, the matter should be considered from more than one angle.

Mr. WALSH. I took the Senator's amendment to be broader than that.

Mr. HARRISON. My amendment is based on administrative problems.

Mr. WALSH. I understood the amendment to forbid any alien any of the benefits of the social security provisions unless he has taken out his first papers, and within 6 years takes out his final papers. That is the gist of the amendment, as I caught it from a hurried reading.

The point I make is that I do not know how many people it would affect; I do not know what distress it might cause; I do not know how far reaching it would be, and I think we ought to have time, and not be obliged, at 6 o'clock, to go on record on a measure of this importance. I say that I do not know what my own convictions about it would be.

Mr. HARRISON. Mr. President, I have an amendment which I desire to offer as an addition to the amendment offered by the Senator from North Carolina, and I suggest that we let the whole matter go to conference.

Mr. WALSH. If there is not to be a roll call, I do not make any suggestion as to adjourning, but if there is to be a roll call on the amendment, I think the Senate should adjourn until tomorrow.

Mr. HARRISON. I think my proposal is agreeable to the Senator from North Carolina. I hope the Senator from North Carolina will modify his amendment to the extent suggested.

Mr. REYNOLDS. Mr. President, in order that there may be no misunderstanding about this matter insofar as the record vote is concerned, because it is an important amendment, it is my understanding that the Senator from Mississippi has accepted my amendment, and it is my further understanding that his amendment likewise has been accepted, and that they will both be considered in conference.

Mr. HARRISON. That is correct.

Mr. REYNOLDS. I want to keep the record clear to that extent.

The PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from Mississippi by way of modification of the amendment of the Senator from North Carolina.

The CHIEF CLERK. At the end of the amendment offered by the Senator from North Carolina it is proposed to insert:

(b) No payment of any benefit provided in section 202 of this title shall be payable to an individual while such individual is not a resident of the United States or its possessions unless such individual resides within 50 miles of the United States.

Mr. REYNOLDS. One question there, if the Senator from Mississippi will yield for a moment. What is the meaning of the words "resides within 50 miles of the United States"?

Mr. HARRISON. Mr. President, we have a special situation with certain nearby countries, especially those which are contiguous to us, such as Mexico and Canada. We do not want to change our friendly relations with those countries, and I am sure the Senator would not. The proposed arrangement will put the whole matter into conference, and we can consider it carefully.

Mr. TAFT. Am I to understand that an alien who has actually paid the tax on his salary is to be barred from getting back any of the money he has already paid in?

Mr. REYNOLDS. As a matter of fact, my amendment provides that anything he might have paid in shall be returned to him.

Mr. TAFT. As I heard the amendment of the Senator from Mississippi read, there was no such condition in it.

Mr. HARRISON. The suggested amendment I offered is merely to place the matter of payment outside the United States, as well as the question of payments to aliens, in conference. The question would frequently be raised in connection with survivor benefits.

Mr. TAFT. Although the deceased may have paid in his money for years, his beneficiaries could have no advantage of it merely because they do not live here. Is that the position of the Senator?

Mr. HARRISON. If they live in this country they get the money; whether we should risk policing payments in foreign countries, where our penalty provisions for fraud would be ineffective, where we will have to expend large sums for effectively safeguarding the funds, is a matter for study.

Mr. TAFT. It seems to me a very unreasonable provision.

Mr. REYNOLDS. It is my understanding that the Senator from Mississippi has in mind certain international treaties we have with other countries of the world. In that connection I might at this time bring to the attention of the Senator from New York, if he will pardon me, the fact that many of the countries with which we have some sort of treaty will not permit any money to be sent out of their borders. I think that if both of the amendments are to be considered, those countries which are not permitting money to leave their borders to come to the United States—except reciprocal payments, which have been referred to today—should not be considered in this.

Mr. ADAMS. Mr. President, I wish to make an inquiry. Does the Senator say to us that we have treaty arrangements

with other nations which compel us to make payments to our citizens who are abroad?

Mr. HARRISON. We have not been able to go carefully into this matter of the amendment offered by the Senator from North Carolina with the officials of the State Department. There exist certain arrangements, I understand, under which, when people die in certain foreign countries, settlement of estates may result to the benefit of citizens of this country if there are heirs here. The matter is one which manifestly requires careful consideration.

Mr. ADAMS. We are talking about future payments.

Mr. HARRISON. We do not want to violate any existing arrangements with foreign countries. The Finance Committee has not been able to go into this matter thoroughly, nor has the committee given any careful study to it.

Mr. ADAMS. The President pro tempore of the Senate, now presiding, who knows all about treaties with foreign countries, could, from the chair, inform us as to these arrangements with foreign nations.

The PRESIDENT pro tempore. Does the Senator from North Carolina accept the amendment of the Senator from Mississippi as a part of his amendment?

Mr. REYNOLDS. I will accept it, but I can enlighten the Senator from Colorado about one thing, that is, that more money from the United States of America goes into other nations of the world than comes from other countries to this Nation. We are sending out hundreds of thousands of dollars yearly from the United States by way of veterans' pensions to citizens who are now residing in other nations of the world, some of whom, as a matter of fact, have become affiliated in sympathy with other countries, according to the understanding I have.

Mr. SCHWELLENBACH. My understanding of the second part of the amendment of the Senator from North Carolina is that under it the employers of the 3,700,000 aliens in this country, or the percentage of them who might be employed, would have to pay the tax, despite the fact that the workers would not get the benefit of the money which was paid, unless the aliens should be naturalized, and this is either a method of tax against the employers which never goes on to the employees, or it would force naturalization of 3,700,000 aliens.

Mr. REYNOLDS. In reference to that, it would be in the form of a special privilege tax. Why should foreigners in this country be provided benefits by our Government and given work here when we have 12,000,000 people out of employment? I am thinking about the unfortunate unemployed American citizens in this country. There are between eleven and twelve million of them at this hour, men and women, looking for jobs, who have been looking for jobs for years, and cannot find them. Insofar as the junior Senator from North Carolina is concerned, I shall do my best to protect American jobs for American citizens. Then after we have provided those 11,000,000 or 12,000,000 men and women with jobs, and after we have provided with whole-time jobs the 26,000,000 men and women who are now working on part time, and after we have found jobs for the 3,000,000 men and women on the W. P. A. rolls, and after we have reduced the employees on the Government rolls who are now 4,000,000 in number, and after we have found jobs for 300,000 American boys in our C. C. C. camps, and after we have found jobs for the 700,000 young boys and girls who graduated from the high schools and colleges last month—after we have done all we can for the American citizen I am talking about here today, I want to help people in Europe and every other continent. But I do not want to help them until after I have done my part toward helping American citizens.

My amendment simply provides that aliens in our country shall not be permitted to participate in the benefits received by citizens of this country.

Mr. SCHWELLENBACH. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. SCHWELLENBACH. I asked the Senator a question which I think could be answered "yes" or "no." We all enjoyed the speech; but would the Senator kindly answer

the question whether or not the amendment, if adopted, would have the effect I suggested?

Mr. REYNOLDS. That would be the effect. In the case of alien employers or American employers using alien laborers, a tax equivalent to that collected from like American citizens shall be levied and collected as a special-privilege tax. In other words, my answer is that I am for the American citizens first, and then for the "furriner" second.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. REYNOLDS] as modified.

The amendment as modified was agreed to.

Mr. WALSH. Mr. President, I ask to have printed in the Record at this point a letter from the Acting Secretary of the Treasury to the chairman of the Committee on Finance of the United States Senate.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter is as follows:

JULY 13, 1939.

HON. PAT HARRISON,

*Chairman, Committee on Finance,
United States Senate, Washington, D. C.*

MY DEAR MR. CHAIRMAN: Further reference is made to your letter dated June 23, 1939, transmitting a copy of S. 2680 (76th Cong., 1st sess.), entitled "A bill to provide for the clarification of certain provisions of the Social Security Act and of the Internal Revenue Code with respect to trustees of Massachusetts trusts and other fiduciaries, and for other purposes." A statement of this Department's views on this proposed legislation is requested.

S. 2680, if enacted, would amend section 1101 (a) (6) of the Social Security Act and section 1426 (c) of subchapter A and section 1607 (h) of subchapter C of chapter 9 of the Internal Revenue Code to provide that a trustee holding either alone or with no more than four other persons the legal title to trust property is not an employee of the trust, whether or not the trust is an association taxable as a corporation. The amendment of the Social Security Act would apply only with respect to the years 1936, 1937, and 1938. The amendments of the Internal Revenue Code would apply on and after January 1, 1939.

With respect to the status of trusts and trustees for the purposes of titles VIII and IX of the Social Security Act and subchapters A and C of chapter 9 of the Internal Revenue Code, it is the position of the Department that a trust estate, rather than the trustees thereof, should generally be treated as the employer of employees performing services on behalf of such estate. In determining whether trustees should be considered as employees of the trust estate, it has been concluded (1) that trustees of an ordinary trust, that is, one created by will or by declaration of the trustees or of the grantor, the trustees of which take title to the property for the purpose of protecting or conserving it as customarily required under the ordinary rules applied in chancery and probate courts, are not employees of the trust estate, and (2) that trustees of a "business" trust, that is, one created or availed of primarily for the conduct of a business venture, are employees of the trust estate.

The distinction between ordinary trusts and business trusts, for tax purposes generally, has long been recognized. A business trust, as distinguished from an ordinary trust of the traditional type, is one used as a medium whereby an income-producing or profit-seeking activity may be carried on through a substitute for an organization such as a corporation, thus obtaining the advantages of that form of organization without its disadvantages. The trustees of a business trust perform for the trust estate services similar to those performed for a corporation by the officers thereof. The term "corporation" is defined by the applicable provisions of law to include "associations, joint-stock companies, and insurance companies." The term "associations" as used in the definition has been held to include business trusts. Therefore, in view of the provisions of section 1101 (a) (6) of the Social Security Act and sections 1426 (c) and 1607 (h) of the Internal Revenue Code, which provide that the term "employee" includes an officer of a corporation, a trustee of a business trust is considered an employee of the trust estate.

The enactment of S. 2680 would exempt from the taxes imposed under titles VIII and IX of the Social Security Act and the corresponding provisions of the Internal Revenue Code the remuneration of trustees of business trusts. It would also exclude such trustees from the individuals who must be counted in order to determine whether the trust was or is an "employer" for the purposes of title IX of the Social Security Act, and subchapter C of chapter 9 of the Internal Revenue Code.

Whether legislation should be enacted to relieve business trusts and their trustees of the burden of the taxes imposed under the Social Security Act and subchapters A and C of chapter 9 of the Internal Revenue Code with respect to the remuneration of the trustees without granting similar relief to corporations or other business organizations and their officers with respect to the remuneration of the officers is, of course, a matter of policy for the determination of the Congress. It is pointed out, however, that exemption provisions complicate the administration of a tax law,

and the Department, for administrative reasons, would prefer that exemptions from social-security taxes be kept as few in number and as simple as other considerations may permit. The Department is also opposed, for administrative reasons, to the provisions of the bill making applicable retroactively the exceptions therein contained. Furthermore, since the bill provides that the amendment to the Social Security Act shall apply only with respect to the years 1936, 1937, and 1938, the remuneration of trustees with respect to 1939 and subsequent years will be included for purposes of the benefits provided by title II of the Social Security Act; but, by virtue of the proposed amendment of subchapter A of chapter 9 of the Internal Revenue Code, would not be subject to the taxes imposed with respect to such years by such subchapter. For fiscal reasons the Department is opposed to the enactment of any legislation which would operate to exempt a particular class of individuals from the taxes imposed by subchapter A of chapter 9 of the Internal Revenue Code if such individuals remain eligible for benefits under title II of the Social Security Act.

For the foregoing reasons the Department is not in favor of the enactment of S. 2680.

In view of the urgency of this matter advice has not been secured from the Bureau of the Budget as to its relationship to the program of the President.

In the event that further correspondence relative to this matter is necessary, please refer to IR:A & C:RR.

Very truly yours,

HERBERT E. GASTON,
Acting Secretary of the Treasury.

The PRESIDENT pro tempore. The bill is still before the Senate and open to further amendment.

If there be no further amendments, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. LODGE. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. LODGE. I suggest the absence of a quorum.

Mr. HARRISON. Mr. President, what was the request of the Senator from Massachusetts?

The PRESIDENT pro tempore. The Senator from Massachusetts asked for the yeas and nays, but there was not a sufficient number.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LODGE. I withdraw my suggestion of the absence of a quorum.

The PRESIDENT pro tempore. The question is, Shall the bill pass? The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HALE (when his name was called). I have a pair with the junior Senator from South Carolina [Mr. BYRNES]. Being unable to secure a transfer of my pair, I must withhold my vote. If at liberty to vote, I should vote "nay"; and, if at liberty to vote, the Senator from South Carolina would vote "yea."

Mr. HARRISON (when his name was called). I have a general pair with the Senator from Oregon [Mr. McNARY]. I understand he would vote as I intend to vote. Therefore I am at liberty to vote, and vote "yea."

Mr. BARKLEY (when Mr. LOGAN's name was called). My colleague [Mr. LOGAN] is unavoidably absent. If present, he would vote "yea."

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS]. I transfer that pair to the senior Senator from California [Mr. JOHNSON] and will vote. I vote "yea." If present, the Senator from California would vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from South Carolina [Mr. BYRNES], the Senator from Arkansas [Mrs. CARAWAY], the Senator from Florida [Mr. PEPPER], and the Senator from Maryland [Mr. TYDINGS] are absent on important public business. I am advised that if present and voting, these Senators would vote "yea."

The Senators from Tennessee [Mr. McKELLAR and Mr. STEWART], the Senator from Texas [Mr. CONNALLY], the Senator from Nebraska [Mr. BURKE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Arkansas [Mr. MILLER] are members of the committee to attend the funeral of the late Representative McREYNOLDS, and are, therefore, necessarily absent. I am advised that if present and voting, they would vote "yea."

The Senator from Michigan [Mr. BROWN], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from Ohio [Mr. DONAHEY], the Senator from California [Mr. DOWNEY], the Senator from Virginia [Mr. GLASS], and the Senator from Nevada [Mr. McCARRAN] are detained on important public business.

The Senator from New Jersey [Mr. SMATHERS] is absent because of illness in his family.

The Senator from Utah [Mr. KING] is absent on official business. He has a general pair with the Senator from New Jersey [Mr. SMATHERS].

Mr. AUSTIN. I announce that the Senator from Oregon [Mr. McNARY], the Senator from Michigan [Mr. VANDENBERG], the Senator from California [Mr. JOHNSON], and the Senator from Pennsylvania [Mr. DAVIS] are all necessarily absent. If present, they would all vote "yea."

I announce the following pairs on this question:

The Senator from Oregon [Mr. HOLMAN] with the Senator from Tennessee [Mr. STEWART].

If present, the Senator from Oregon would vote "nay" and the Senator from Tennessee would vote "yea."

I also announce the general pair of the Senator from Delaware [Mr. TOWNSEND] with the Senator from Tennessee [Mr. McKELLAR].

The result was announced—yeas 57, nays 8, as follows:

YEAS—57

Adams	Gibson	Lucas	Schwartz
Ashurst	Gillette	Lundeen	Schwellenbach
Austin	Green	Maloney	Sheppard
Barbour	Guffey	Mead	Shipstead
Barkley	Harrison	Minton	Slattery
Bilbo	Hatch	Murray	Thomas, Okla.
Bone	Hayden	Neely	Thomas, Utah
Bulow	Herring	Norris	Van Nuys
Byrd	Hill	O'Mahoney	Wagner
Capper	Holt	Overton	Walsh
Chavez	Hughes	Pittman	Wheeler
Danaher	Johnson, Colo.	Radcliffe	Wiley
Ellender	La Follette	Reed	
George	Lee	Reynolds	
Gerry	Lodge	Russell	

NAYS—8

Andrews	Frazier	Smith	Tobey
Bridges	Gurney	Taft	White

NOT VOTING—31

Bailey	Clark, Mo.	Johnson, Calif.	Pepper
Bankhead	Connally	King	Smathers
Borah	Davis	Logan	Stewart
Brown	Donahey	McCarran	Townsend
Burke	Downey	McKellar	Truman
Byrnes	Glass	McNary	Tydings
Caraway	Hale	Miller	Vandenberg
Clark, Idaho	Holman	Nye	

So the bill H. R. 6635 was passed.

Mr. HARRISON. Mr. President, I ask unanimous consent that the clerks may be directed to renumber the sections.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HARRISON. I now move that the Senate insist upon its amendments, ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. HARRISON, Mr. KING, Mr. GEORGE, Mr. LA FOLLETTE, and Mr. CAPPER conferees on the part of the Senate.

PROHIBITION OF BLOCK BOOKING AND BLIND SELLING OF MOTION-PICTURE FILMS

The Senate resumed the consideration of the bill (S. 280) to prohibit and to prevent the trade practices known as compulsory block booking and blind selling in the leasing of motion-picture films in interstate and foreign commerce.

GRAVE MARKERS FOR VETERANS

Mr. LA FOLLETTE. Mr. President, there was messaged over from the House, H. R. 985, which has to do with the provision of grave markers for veterans. I have consulted with the chairman of the Committee on Military Affairs and the chairman of the subcommittee, the Senator from Indiana [Mr. MINTON], which reported out a bill which I introduced relating to the same subject. The bill has twice passed the Senate. It has now passed the House in practically the same form, with the exception that the limitation on the price has been omitted by the House bill.

I ask unanimous consent for the immediate consideration of House bill 985, to authorize the Secretary of War to furnish certain markers for certain graves.

The PRESIDENT pro tempore. Is there objection?

Mr. HILL. Mr. President, I shall have to ask that the matter go over for the time being.

The PRESIDENT pro tempore. Objection is heard, and the bill will be passed over.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

THE JUDICIARY—ELMER D. DAVIES

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read, as follows:

To the Senate of the United States:

At 12:20 p. m. today there was delivered to my office the resolution of the Senate requesting me to return to the Senate the resolution advising and consenting to the appointment of Elmer D. Davies to be United States district judge for the middle district of Tennessee.

I regret that I cannot accede to this request as before its receipt I had signed and sent out a commission appointing Judge Davies, by and with the advice and consent of the Senate, to the position named in the resolution.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,
July 13, 1939.

The PRESIDENT pro tempore. The message will lie on the table.

Mr. BARBOUR. Mr. President, as I was the author of the motion, unanimously carried in the Senate yesterday, to recall the notification to the President of the confirmation of the nomination of Elmer D. Davies, I am compelled to rise to express my surprise and astonishment at the tremendous haste and marked dispatch and startling speed with which this whole matter has progressed.

Under the circumstances, all I can now do, especially at this late hour, is vigorously to record my opposition to this appointment and the way its confirmation was rushed through. Later on, perhaps, I shall make certain further comments. In any event, I shall wish to insert in the RECORD certain data which show at least in a degree the basis for my objection to this nomination.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. HAYDEN, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters, which were ordered to be placed on the Executive Calendar.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state in order the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Benjamin J. McKinney to be United States marshal for the district of Arizona.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

NATIONAL YOUTH ADMINISTRATION

The legislative clerk read the nomination of Aubrey W. Williams to be National Youth Administrator.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. WALSH. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Marine Corps are confirmed en bloc.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Friday, July 14, 1939, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 13 (legislative day of July 10), 1939

UNITED STATES MARSHAL

Benjamin J. McKinney to be United States marshal for the district of Arizona.

NATIONAL YOUTH ADMINISTRATION

Aubrey W. Williams to be National Youth Administrator.

PROMOTIONS AND APPOINTMENTS IN THE NAVY

MARINE CORPS

To be colonels

Marion B. Humphrey	Arnold W. Jacobsen
William G. Hawthorne	Earl H. Jenkins
Oscar R. Cauldwell	

To be lieutenant colonels

Benjamin W. Gally	James A. Mixson
John B. Wilson	Gus L. Gloeckner
Galen M. Sturgis	Eugene F. C. Collier
Joseph W. Knighton	Harold C. Major

To be majors

Max D. Smith	William N. McKelvy, Jr.
Rupert R. Deese	Emery E. Larson
Charles C. Brown	Stuart W. King
John C. Donehoo, Jr.	Will H. Lee
Lyman G. Miller	Ira L. Kimes
William M. Mitchell	Luther A. Brown
Howard R. Huff	Harold C. Roberts
William W. Orr	Frank H. Lamson-Scribner
Gregon A. Williams	William W. Davidson
Monroe S. Swanson	William C. Lemly
William W. Paca	Arthur T. Mason
John E. Curry	Caleb T. Bailey
Merrill B. Twining	

To be captains

Richard W. Hayward	Guy M. Morrow
Robert L. Denig, Jr.	Edward E. Authier
James C. Bigler	Nixon L. Ballard
Forest C. Thompson	Robert O. Bowen
Hector de Zayas	James L. Beam
Eustace R. Smoak	Ethridge C. Best

To be first lieutenants

Elby D. Martin, Jr.	DeWolf Schatzel
Richard Rothwell	John H. Earle, Jr.

William T. Wingo, Jr.
 Edwin L. Hamilton
 Glenn C. Funk
 Robert C. McGlashan
 Harold J. Mitchener
 Leonard M. Mason
 Albert H. Bohne
 Joseph P. Sayers
 Max C. Chapman
 Zane Thompson, Jr.
 John D. Harshberger
 Daniel J. Hennessy
 Lewis H. Pickup
 John L. Smith
 James S. Blais
 Robert E. Galer
 Cliff Atkinson, Jr.
 Henry H. Crockett
 George A. McKusick
 Spencer S. Berger
 Milo G. Haines
 Malcolm "O" Donohoo
 Gene S. Neely
 Walter N. Flournoy
 William M. Ferris
 John F. Schoettel
 Robert W. Thomas
 Kenneth A. King
 Paul J. Fontana
 Allen B. Geiger 2d
 George S. Bowman, Jr.
 William L. Crouch
 William E. Gise
 James G. Bishop, Jr.
 Thornton M. Hinkle
 Ronald K. Miller
 Edward W. Johnston
 Louis A. Ennis
 Charles R. Nicholson
 Arthur B. Barrows
 Charles L. Banks
 James L. Neefus
 James C. Murray, Jr.
 Wade H. Britt, Jr.
 William H. Barba
 Tom C. Loomis
 Orin C. Bjornsrud
 Noel O. Castle
 George F. Britt
 Otis B. Brown
 Robert W. Boyd
 Edward H. Drake
 Marion M. Magruder
 August F. Penzold, Jr.
 George W. Killen
 Noah P. Wood, Jr.
 Jean H. Buckner
 Fred H. Lemmer
 Howard V. Hiett

To be second lieutenants

Francis C. Clagett
 Jino J. D'Alessandro
 Richard T. McNown
 Henry J. Revane
 Warren P. Baker
 Wendell H. Best
 Clyde M. Buzard
 Wayne M. Cargill
 Raymond W. Dollins
 James G. Foley
 Frederic N. Hagan, Jr.
 Melvin D. Henderson
 Chester A. Henry, Jr.
 Homer E. Hire

George T. Skinner
 Arthur P. McArthur
 Thomas G. Roe
 Oscar K. LaRoque, Jr.
 Marlowe C. Williams
 Wood B. Kyle
 Russell E. Honsowetz
 Russell B. Warye
 Maynard C. Schultz
 Ellsworth G. Van Orman
 Donald K. Yost
 Frederick R. Payne, Jr.
 Graham H. Benson
 Robert W. Rickert
 Howard L. Davis
 Levi W. Smith, Jr.
 Lee C. Merrell, Jr.
 Howard G. Kirgis
 Arthur R. Stacy
 Lewis W. Walt
 Charles W. May
 Robert W. Clark
 Edward W. DuRant, Jr.
 Henry S. Massie, Jr.
 Pelham B. Withers
 Harry A. Waldorf
 Jack L. Stonebanks
 Hollis U. Mustain
 Joseph O. Butcher
 John J. Wermuth, Jr.
 John F. Dobbin
 Robert H. Richard
 Gordon H. Knott
 Lindley M. Ryan
 John P. Stafford
 Frank Shine
 Arthur H. Weinberger
 Stephen V. Sabol
 Roy Robinton
 John E. Morris
 Horatio C. Woodhouse, Jr.
 John E. Willey
 Carl A. Youngdale
 Robert J. Johnson
 Robert M. Dean, Jr.
 Douglas E. Reeve
 Philip C. Metzger
 James E. Mills
 Charles S. Nichols, Jr.
 William J. Piper, Jr.
 William R. Campbell
 Cecil W. Wight
 Robert Chambers, Jr.
 Francis H. Cooper
 John H. Gill
 Gavin C. Humphrey
 Stewart B. O'Neill, Jr.
 George D. Rich

Frank Mandell
 Alan S. Manning
 James B. Moore
 William L. Ryan
 Mark S. Adams
 Hoyt U. Bookhart, Jr.
 Michiel Dobervich
 Frederick R. Findtner
 Frank E. Gallagher, Jr.
 Edwin C. Godbold
 Gordon A. Hardwick
 Earl R. Kindig
 James S. Mullins
 Thomas S. Nurnberger, Jr.

Michael E. Peshek
 Albert H. Potter
 John W. Ryland

Luther R. Seibert
 Nicholas A. Sisak

To be chief quartermaster clerk

Ollie Bissett

POSTMASTERS

DELAWARE

Roy E. Jones, Millsboro.

NEW HAMPSHIRE

Martin A. Lynch, Alton Bay.
 Edith L. Stillings, Bartlett.
 Harry Frank Smith, Center Harbor.
 Ray A. Hicks, Colebrook.
 Edwin L. Batchelder, Hampton.
 Frank J. Young, Hinsdale.
 Effie P. Gibson, Kingston.
 Charles E. Tanner, Milton.
 Gordon A. Russell, North Weare.
 Susie J. Foote, Seabrook.
 Edna C. Mason, Tamworth.
 Harold A. Aher, West Lebanon.
 James R. Kill Kelley, Wilton.

NORTH CAROLINA

Robert D. McLeod, Biscoe.
 Hurley E. Whitesell, Elon College.
 Ila M. Stone, Hope Mills.
 James T. Martin, Liberty.
 John R. Hughes, Madison.
 John A. Beshel, Nazareth.
 Tasker T. Hawks, Norlina.
 William E. Howard, Richlands.
 Helen B. Siler, Siler City.
 Ally N. Fuller, Spruce Pine.

OHIO

Lata A. Barr, Amanda.
 Fred C. Stultz, Bainbridge.
 Beulah G. Culp, Baltimore.
 Dudley F. Briggs, Jr., Frankfort.
 Glenn M. Roller, Ohio City.

TEXAS

Howard L. Smith, Alamo.
 M. Earle Cook, Carrizo Springs.
 William M. Mead, Chico.
 Thomas F. Bice, Dimmitt.
 Earnest N. Sowell, Elgin.
 Wallace J. Bludworth, Flatonia.
 Carolyn A. Moreman, Hale Center.
 William D. Reed, Holland.
 Richard J. Crow, Kountze.
 William B. Collins, Llano.
 William F. Rayburn, Lovelady.
 John J. Faubion, Marble Falls.
 Almer D. Woods, Marquez.
 Grady W. Harris, Mobeetie.
 Ruth Norman, Morgan.
 William O. Haizlip, Nederland.
 Maude A. Davis, Petrolia.
 Hobart Lytal, Quinlan.
 Sidney T. Bogan, Quitaque.
 Ina M. Matheny, Rochester.
 Jesse H. Harris, Rogers.
 Smith W. Ribble, Roxton.
 Willis C. Giffin, Sabinal.
 Wallace B. Alexander, Seymour.
 Gus W. Kunath, Jr., Smithville.
 Russell M. Chaney, Sulphur Springs.
 Hugh E. Weir, Troy.
 William A. Graham, Tulia.
 James G. Simms, Valley Mills.
 William F. Sellers, Walnut Springs.
 Robert K. Phillips, Weatherford.
 John W. Hardison, Whitney.
 Olen T. Little, Woodson.

VIRGINIA

E. LeRoy Smith, Appomattox.
 Thomas E. Chambers, Blackstone.
 Anna G. Bengtson, Catawba Sanatorium.
 James F. Walker, Fort Defiance.
 John W. Rodgers, Hampden Sydney.
 Samuel S. Stallings, Suffolk.
 Troy J. Weeks, Willis.

WISCONSIN

Joseph K. Hesselink, Cedar Grove.
 Carl Whitaker, Chetek.
 Ina E. Hennlich, Curtiss.
 Alma M. Oik, Hortonville.
 Joseph S. Rosera, Lena.
 Axel C. Swanson, Pembine.
 William A. Weier, Wabeno.

HOUSE OF REPRESENTATIVES

THURSDAY, JULY 13, 1939

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most merciful God, our Father, for our sins we ask the forgiveness of the Cross and for our guidance the benediction of Thy love and care. Thou, who art so prodigal with the riches of field and forest, of land and sea, how much more has been the glory of Thy gifts to the souls of men. O Son of Mary, walk with us; teach us the lessons of forbearance that we may forgive as we hope to be forgiven. Bless those who struggle against want. We pray that the doors of employment may be opened wide and that the hearts of men may be opened to help the world's sad needs; may those who have much share with those who have less. Immortalize the hopes of those lives that have been blighted and the sanctities of those who are lonely and in tears; transfigure human sorrow, lighten the darkness, and dwell among us. In our dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 155. Joint resolution consenting to an interstate oil compact to conserve oil and gas.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 5407) entitled "An act to amend an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, and acts amendatory thereof and supplementary thereto," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WHEELER, Mr. BONE, Mr. TRUMAN, Mr. AUSTIN, and Mr. TOBEY to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 4929) entitled "An act to amend the act of June 23, 1938 (52 Stat. 944)," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. HALE to be the conferees on the part of the Senate.

ADDITIONAL COPIES OF HEARINGS ON TRANSPORTATION ACT OF 1939

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment (H. Rept. No. 1114) a privileged concurrent resolution (S. Con. Res. 26) authorizing the printing of additional copies of the hearings held before the Committee on Interstate Commerce of the Senate on the bill (S. 2009) entitled "Transportation Act of 1939," and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Interstate Commerce of the Senate be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of the hearings held before said committee during the current session on the bill (S. 2009) entitled "Transportation Act of 1939."

The concurrent resolution was concurred in, and a motion to reconsider was laid on the table.

ADDITIONAL COPIES OF HEARINGS ON PROFIT-SHARING SYSTEMS

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment (H. Rept. No. 1115) a privileged concurrent resolution (S. Con. Res. 25) authorizing the printing of additional copies of the hearings held before a subcommittee of the Senate Committee on Finance on the Investigation of Existing Profit-Sharing Systems Between Employers and Employees in the United States, and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Finance of the Senate be, and is hereby, authorized and empowered to have printed for its use 10,000 additional copies of the hearings held before a subcommittee of said committee during the Seventy-fifth Congress pursuant to the resolution (S. Res. 215) providing for an investigation of existing profit-sharing systems between employers and employees in the United States.

The concurrent resolution was concurred in, and a motion to reconsider was laid on the table.

ADDITIONAL COPIES OF SENATE REPORT NO. 610, ON PROFIT SHARING

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment (H. Rept. No. 1116) a privileged concurrent resolution (S. Con. Res. 24) authorizing the printing of additional copies of Senate Report No. 610 entitled "Survey of Experiences in Profit Sharing and Possibilities of Incentive Taxation," and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 12,000 additional copies of Senate Report No. 610, a report of a subcommittee of the Committee on Finance submitted pursuant to Senate Resolution 215 (75th Cong.), entitled "Survey of Experiences in Profit Sharing and Possibilities of Incentive Taxation," of which 1,000 copies shall be for the use of the Senate document room, 10,000 copies for the use of the Senate Committee on Finance, and 1,000 copies for the House document room.

The concurrent resolution was concurred in, and a motion to reconsider was laid on the table.

STATUE OF WILL ROGERS

Mr. JARMAN. Mr. Speaker, from the Committee on Printing I report back favorably without amendment (H. Rept. No. 1117) a privileged concurrent resolution (H. Con. Res. 29) to print and bind the proceedings of Congress, together with the proceedings at the unveiling in the rotunda, upon acceptance of the statue of Will Rogers, presented by the State of Oklahoma, and ask for its immediate consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed with illustrations and bound, in such form and style as may be directed by the Joint Committee on Printing, the proceedings in Congress at the unveiling in the rotunda, together with such other matter as the joint committee may deem pertinent thereto, upon the occasion of the acceptance of the statue of Will Rogers, presented by the State of Oklahoma, 5,200 copies; of which 1,000 copies shall be for the use of the Senate and 2,700 copies for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use of and distribution by the Senators and Representatives in Congress from the State of Oklahoma.

SEC. 2. The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall provide suitable illustrations to be bound with these proceedings.

Mr. RICH. Mr. Speaker, if the gentleman will yield, may I say it was my understanding that there was to be placed in that document only one illustration of the statue as it is in the rotunda of the Capitol. No great number of illustrations was to be placed in the document.

Mr. JARMAN. I did not understand there was any great number of them.

Mr. RICH. It was my impression there was only one illustration.

Mr. JARMAN. My understanding was that the proceedings and what happened in the House in connection with that incident were to be printed.

Mr. RICH. That is right; but the resolution refers to illustrations. I was under the impression there was only one illustration of the monument as it was presented and now stands in the rotunda of the Capitol.

Mr. JARMAN. That was my impression also.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

ADDITIONAL CLERK HIRE IN THE HOUSE OF REPRESENTATIVES

Mr. WARREN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6205) to provide for additional clerk hire in the House of Representatives, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. RICH. Reserving the right to object, Mr. Speaker, may I explain my position on this bill by saying that I realize it is not our duty in the House to interfere with the transactions and legislation of the Senate, but it does seem to me that our conferees should request of the Senate that when they are considering additional clerk hire, one clerk at the rate of \$1,800 a year and one at the rate of \$1,500, they give some consideration to cutting down the number of clerks Senators should have who come from States where the population is small. For instance, there are 15 States with populations of less than 1,000,000, 8 States with populations of less than 500,000, and 3 States with populations of less than 300,000. There are two Senators from each of those States. It does seem to me that the Senators have more clerks than they need for the conduct of their business, and it does seem that the Senate should use good business judgment and try to hold down the number of additional clerks. This bill will add over 600 more clerks on Capitol Hill. I hope the conferees will convey that message to the Senate and see if they cannot cut down expenses to the degree warranted by good common business sense. I am personally against the bill because of its waste and extravagance, and I feel it is not necessary and should not be passed.

Mr. WARREN. If this bill goes to conference, I assure the gentleman I will present his views to the conference committee.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I want to make my position clear on this matter. I am opposed to the legislation that is proposed. I voted against it when it was here in the House in the first instance. I realize that to send measures to conference is the normal way to do business and I am, therefore, not going to be obstinate and object to sending this bill to conference. However, I wanted to make my own position clear.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. WARREN, Mr. COCHRAN, and Mr. WOLFENDEN.

EXTENSION OF REMARKS

Mr. JOHNSON of West Virginia. Mr. Speaker, I ask unanimous consent to insert in the RECORD the brief address and tribute paid to the State of West Virginia by my constituent, Col. Heber H. Rice, of Huntington, W. Va., upon the State's seventy-sixth anniversary celebration at the New York World's Fair on June 24, 1939.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an address delivered by the N. Y. A. Administrator, Mr. Williams, at the Institute of Public Affairs in Virginia.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SOCIAL SECURITY

Mr. COLMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, on yesterday the Senate passed the so-called Connally amendment to the social-security bill, requiring the Federal Government to match \$2 for each dollar the State contributes up to \$15 for the aged needy. This is one of the amendments a group of us fought for so hard and unsuccessfully when this bill was considered on the floor of the House. Since the Senate has seen fit to place that amendment in this bill, it is hoped that the House will see fit to concur in the amendment. It is right, it is just, it is fair, and it is equitable. I hope the conferees on the part of the House, backed by the House membership, will see fit to allow this amendment to remain in the bill and become part of the law.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I am sorry to say to my friend that my time is just about up.

Mr. RICH. No; it is not up. Where are you going to get the money to do that? [Laughter and applause.]

Mr. COLMER. Where we get it for everything else.

[Here the gavel fell.]

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. DISNEY. Mr. Speaker, referring to the remarks of my distinguished colleague, and on the same general subject, the gentleman from Mississippi [Mr. COLMER], I would like to call the attention of the House to a newspaper dispatch of July 11, from Fargo, N. Dak., reading as follows:

Early returns from today's special election indicated a strong vote against passage of the four measures sponsored by former Gov. William Langer in a move to pay for the \$40 (per month) minimum old-age pension plan he helped push through the recent legislature.

On a gross income tax or transactions tax 588 precincts gave 9,481 yes and 66,886 no.

This illustrates that when it comes home to the people that they must pay these bills they vote the other way. It proves that they will sustain their representatives if those representatives will save the taxpayers' money. [Applause.]

MEMORIAL CONCERT FOR THE BENEFIT OF FAMILIES OF VICTIMS OF THE "SQUALUS" DISASTER

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6942) to authorize the attendance of the Marine Band at a memorial concert for the benefit of the families of the victims of the U. S. submarine *Squalus* disaster at Rye, N. H., July 30, 1939, and for other purposes, which I send to the Clerk's desk.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and participate in a memorial concert to be held at Rye, N. H., on July 30, 1939, the entire net proceeds of such memorial concert to be distributed to the families of the men who lost their lives in the sinking of the submarine *Squalus*.

Sec. 2. For the purpose of defraying expenses of such band in attending and participating at such memorial concert there is authorized to be appropriated the sum of \$3,100, or so much thereof

as may be necessary, to carry out the provisions of this act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Mr. VINSON of Georgia. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia: Change the period at the end of section 1 to a colon and add the following proviso: "Provided, That the cost of the travel herein authorized shall be charged to current appropriations of the Marine Corps in the same manner and under the same regulations as though such travel was necessary in the Naval Service."

Strike out all of section 2.

Mr. VINSON of Georgia. Mr. Speaker, I ask that the gentleman from New Hampshire [Mr. JENKS] may address the House for 5 minutes and I yield to the gentleman for that purpose.

Mr. JENKS of New Hampshire. Mr. Speaker, on May 23, last, one of the most appalling disasters in the history of our Navy took place off the coast of New Hampshire. We all recall the shock and alarm with which news was received that the submarine *Squalus* had failed to rise from a practice dive; we remember the hours of prayerful hope and suspense that followed, and the wave of joy and gratitude that swept over the Nation when word was flashed that the men entombed 240 feet below the surface of the Atlantic Ocean were being brought to the surface. But there was still another chapter to be written—that joy and gratitude was later tinged with sorrow when it became known that 26 of the men of that brave crew were trapped, beyond the hope of rescue, in their watery grave. I shall not dwell on the sorrow that has since hung like a pall over the loved ones of those 26 men.

Word came to me a few minutes ago from Portsmouth that they have just begun to raise the *Squalus*, and there is every reason to hope that the effort to bring the vessel to the surface will be successful.

This bill, H. R. 6942, that I have introduced and that you have consented to consider is for the purpose of authorizing the United States Marine Band to go to Rye, N. H., to participate in a memorial concert on July 30 for the benefit of the dependents of those men who are still in that water-filled compartment of the submarine *Squalus*.

I feel confident that every Member of this House is interested and in sympathy with this bill because the loss of those men is a national disaster and the welfare of their dependents is a national responsibility. The States which suffered specifically in this calamity can be listed as follows: Arkansas lost one, California three, Connecticut two, Florida one, Georgia one, Idaho one, Iowa one, Massachusetts one, Michigan one, Minnesota one, Missouri one, New Hampshire two, New York one, Oklahoma two, Pennsylvania one, South Carolina one, Tennessee two, Virginia one, and Wisconsin one.

I talked this morning with those who are sponsoring this memorial concert; from subscriptions already received, it is estimated that the net proceeds of the concert will be in the vicinity of \$30,000, which indicates that a most generous response will be forthcoming from all sections of the country. The plan is to broadcast this concert over the National and Columbia networks, and I feel sure that the appeal to be made in connection therewith will meet with overwhelming success.

I would appreciate very much the Members of this House doing the unusual thing of authorizing the President to send the Marine Band to New Hampshire for this occasion; I realize it is not customary for Congress to send the Marine Band other than to the two national conventions of our Nation-wide veterans' organizations, but in behalf of the dependents of the courageous men who lost their lives in line of duty on the submarine *Squalus*, I bespeak your favorable consideration of this bill.

Mr. THORKELSON. Mr. Speaker, will the gentleman yield for a question?

Mr. JENKS of New Hampshire. Yes.

Mr. THORKELSON. Does not the gentleman believe it would be a good idea for the Members of Congress to donate \$5 apiece to the families of these men?

Mr. JENKS of New Hampshire. I thank the gentleman from Montana, and I am in hearty and thorough accord with his suggestion.

[Here the gavel fell.]

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article in the Survey Graphic for July 1939.

The SPEAKER. Is there objection?

There was no objection.

FORT STEVENS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DONDERO. Mr. Speaker, 75 years ago yesterday occurred an incident in the District of Columbia that is unique in the history of our country for two reasons. It found a President of the United States—Abraham Lincoln—in office under fire and, secondly, the only engagement ever fought in the District of Columbia took place. It was an attempt upon the part of a daring, brilliant Confederate general, Jubal A. Early, to capture the city of Washington, July 12, 1864. The Battle of Fort Stevens occurred. Yesterday was the seventy-fifth anniversary of that event. Last evening a very short but a very appropriate exercise was held in the fort to commemorate that event, and our distinguished colleague, the gentleman from Wisconsin [Mr. BOLLES] delivered a brief and an appropriate address on that occasion. I ask unanimous consent to revise and extend my remarks in the RECORD and to include the address of the gentleman from Wisconsin [Mr. BOLLES] delivered on that occasion.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address delivered by the Honorable Benjamin Rosenbloom, a former Member of the House.

The SPEAKER. Is there objection?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a radio address delivered by the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN], Monday last.

The SPEAKER. Is there objection?

There was no objection.

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief patriotic address delivered by Rabbi Max B. Currick, of Erie, Pa., president of the Central Conference of American Rabbis, on Abraham Lincoln.

The SPEAKER. Is there objection?

There was no objection.

SHOOTING AT HARLAN, KY.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask the attention of the gentleman from Illinois [Mr. KELLER].

DEATH FOLLOWS DENIAL OF CIVIL LIBERTIES

Dock Caldwell, 31-year-old miner, lies dead in Harlan County. He died because he attempted to follow the decree of John L. Lewis that no one in Harlan County should work until he had joined the United Mine Workers of America.

Last Sunday William Turnblazer, head of the local union, called upon those belonging to the United Mine Workers to prevent the operation of the mines. Yesterday morning Caldwell attempted to carry out Turnblazer's demands, to make good the decree of John L. Lewis, by trying to prevent a fellow worker who did not belong to the union entering a mine. He was shot and killed. Two National Guard men were seriously wounded. Three other miners were wounded in the same affray.

For months the National Labor Relations Board, headed by its Chairman, Madden, has been giving support to the idea that in Harlan County a man must join the United Mine Workers before he can mine coal. Acting in collusion with William Turnblazer, head of the local union, Philip Phillips, a regional director of the Board, has been giving support to the move which denies civil liberties to the miners of Harlan County. The Federal administration itself has lent moral encouragement to John L. Lewis' demand for a closed-shop contract in the soft-coal industry.

Upon the shoulders of Lewis, whose commands in 1922 were followed by the massacre of 25 miners at Herrin, Ill., in a similar dispute, rests the major share of the responsibility for the death of Dock Caldwell. Sharing in that responsibility should be listed Madden, of the National Labor Relations Board, the members of that Board, and William Turnblazer, who incited the unlawful activities of the pickets.

The time has long gone by when we as representatives of our people should by our silence, by our inaction, lend moral support to those who deny liberty to our fellow citizens. On the floor of this House for amendment should be brought the National Labor Relations Act, so that American workers may once more be free to follow their chosen tasks to earn a livelihood for themselves and their families.

The SPEAKER. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a radio address broadcast by myself July 1.

The SPEAKER. Is there objection?

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Baldrige, one of its Clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 329. Joint resolution consenting to an interstate oil compact to conserve oil and gas.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 289. An act for the relief of the West Virginia Co.

The message also announced that the Senate had ordered that the Secretary be directed to request the House to return to the Senate the joint resolution (S. J. Res. 155) entitled "Joint resolution consenting to an interstate oil compact to conserve oil and gas."

FRANKLIN D. ROOSEVELT LIBRARY

Mr. SABATH. Mr. Speaker, I call up privileged House Resolution 238, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 238

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 118, a joint resolution to provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes. That after general debate, which shall be confined to the joint resolution and continue not to exceed

2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Library, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion, except one motion to recommit with or without instructions.

Mr. SABATH. Mr. Speaker, in view of the fact that this matter has been debated heretofore, and that a majority voted for the resolution when under consideration the last time, I am wondering whether the gentleman from New York [Mr. FISH] would agree that we reduce the time for the rule to 15 minutes on a side.

Mr. FISH. Mr. Speaker, when this matter last came before the House it came up suddenly, and we were not in position to discuss it in detail. Actually we need more time in order to convince those on the Democratic side that there should be no such memorial library at Hyde Park.

Mr. SABATH. Mr. Speaker, I feel that if the gentleman would have from now until doom's day he would not have enough time to convince Democrats or any man interested in this matter to vote with him.

The SPEAKER. The Chair recognizes the gentleman from Illinois.

Mr. SABATH. Mr. Speaker, ladies and gentlemen of the House, this resolution makes in order Senate Joint Resolution 118. It provides for 2 hours of general debate. I was hopeful that the gentleman from New York would agree to 15 minutes for each side on the rule, but for his own reasons he again desires to be heard at length.

I personally feel that the resolution should be adopted without extensive debate. When it was up a few weeks ago 229 Members voted for it and only 139 against it, which was but a few votes short of the required two-thirds under suspension of the rules. Since that time the press, including even the reactionary Republican newspapers, have editorially condemned those who voted against the measure without regard for merit but simply as an expression of petty and mean politics. Now we are considering the measure again. Politics has had its day on the matter, and this is the time to look upon it without prejudice. In my opinion every Member, regardless of party, should in good conscience vote for it. I had expected that the Republican Members on the left, after considering the criticism of their votes against this resolution when it was last up, would realize their mistake, agree to unanimous consent for the bill to be called up without special rule, and then concur in having the bill read and passed. But somehow or other you pay little heed even to honest criticism that you sometimes find in your own papers.

Mr. BOLLES. Mr. Speaker, will the gentleman yield?

Mr. SABATH. No; I cannot yield. You are pursuing a policy which does not help the Nation, yourselves, or your party. Mr. Speaker, I regret that some of my old Republican friends, for whom I have a good deal of respect and affection, of late have been obliged to vote under orders. Some years ago we Democrats were charged with being rubber stamps, although it is now admitted that we always retained our independence of thought and action. That charge may now be thrown back at the Republicans. I know that the Democrats always tried to support the President in his great efforts to pull us out of a terrible depression brought on by a Republican administration, and at the start you Republicans seemed to possess enough sincerity to aid us.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. No; I cannot yield to the gentleman now. But of late you seem to vote as a unit at all times, under the whip and spur of the minority leader, for whom personally I have the highest regard. I am actually sorry for him, because the orders do not come from him, I know, because he is a legislator. He desires to do the right thing, but these orders come from the old, defunct, and, as I believe, extinct Republican National Committee.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SABATH. To the minority leader I am always pleased to yield.

Mr. MARTIN of Massachusetts. I know the gentleman tries to be honest and fair and always is when he has the real facts.

Mr. SABATH. I thank the gentleman for his remarks.

Mr. MARTIN of Massachusetts. I want to tell the gentleman that I am not taking orders from anyone, but I wonder if he can say the same? [Laughter and applause.]

Mr. SABATH. I can. I want to say to the gentleman who has served with me many years that I have at all times been more or less independent.

Mr. MARTIN of Massachusetts. More or less? [Laughter.]

Mr. SABATH. Yes.

Mr. MARTIN of Massachusetts. Mostly less.

Mr. SABATH. I cannot say that of many of your Members. It might surprise you to know that I am a Democrat and when, especially during the last 6 years, we have been trying to bring out legislation for the benefit of the country, that it is but natural for me to support those beneficial measures which have accomplished so much for the country. I hope, however, that you will realize that the policy you Republicans have pursued of late will not aid you in the long run. It cannot gain you support, for the people are not slow to recognize instances of playing politics at the expense of the country. And this is a typical example.

Many of you were elected because of your promises to forego politics and to work for the interest of the people, but if you expect to be reelected you had better change the tactics you are now pursuing not only on this measure but on all others this session. People are becoming convinced that you are not keeping the faith with them. All you seem to have on your brains—pardon me, I meant to say on your minds—is politics, making a political issue out of this resolution before us. You thought you were doing a smart thing for the Republican Party when you voted solidly to reduce the wages of W. P. A. workers in the East, North, and West, and to increase the wages of those in the South, and likewise throwing thousands off of W. P. A. jobs, even though they cannot find employment in private industry. I wonder how you will explain that vote to your constituents at home. I believe that they will resent it and will charge you of betraying them for a little political advantage. Do not let your unwise political strategy run away with you, because it will rebound on you next election and leave you at home.

If the resolution before us were considered solely upon its merits, without regard to politics, we would not be obliged to spend 3 or 4 hours in debate. Here we have a situation where the President of the United States signifies his intention of turning over to the Nation, free of charge, all his valuable papers, correspondence, and documents. Former collections of Presidents had to be purchased at great cost.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. SABATH. In a few minutes.

Mr. FISH. I would like to know what President received any money for his papers.

Mr. SABATH. Oh, the gentleman from New York is so well informed that it is not necessary for me to waste time in enlightening him. From the records he can find out how many Presidents—

Mr. FISH. I do not know of any President who received any money.

Mr. SABATH. Not the President himself.

Mr. FISH. Well, that is what the gentleman said.

Mr. SABATH. Some of the widows of Presidents, and some of the Presidents, too, for their writings, just as President Coolidge did at a dollar a word. And you all know what happened to President Harding, but I do not want to go into all that. I am taking the floor today in the hope that I might convince some of you that your course is a poor one, one that you should abandon. For your own benefit you should cooperate with us, help us legislate properly, and pass legislation helpful to the country, and make it possible to adjourn soon. Such a course would bring you the applause of the people

instead of the criticism you now reap. Such a course would be praised as sincere and constructive legislating, instead of playing politics.

Mr. BOLLES. Mr. Speaker, will the gentleman yield?

Mr. SABATH. No; I cannot yield to the gentleman. He cannot enlighten me.

Mr. BOLLES. Oh, yes; I can.

Mr. SABATH. Not on any subject I wish to take up. Mr. Speaker, I am not going to detain the membership further. I had jotted down a few memoranda to call to the attention of the House, but I do not think my advice would be heeded. In calling a few facts to the notice of the Republicans I have done my duty. If they will not heed my advice, it will be their funeral, and no one else's.

There is one charge that will be made today, I am sure, that I do want to answer. Branding this as a memorial in an attempt to prejudice Members against the resolution, the lame criticism will be made that memorials should only be for the dead, a narrow viewpoint to which I cannot subscribe. I believe that Congress should give its approval and applause to those who deserve it during their lifetime rather than to withhold it until the individual is dead.

However, this is not simply a memorial or a monument. It is a means of preserving for the American people documents and other material of value to future generations from a historical standpoint. President Roosevelt needs no monuments or memorials now or in the future. Posterity remembers a man for his deeds, and President Roosevelt has built a memorial in the hearts of the American people more enduring than stone or concrete. A great man may be condemned and even vilified during his lifetime, as were George Washington, Thomas Jefferson, Andrew Jackson, Woodrow Wilson, and Abraham Lincoln. But when the years roll by and history views them in true perspective, they have taken their place with the immortals of all time, while their critics have long since been forgotten. So it is with President Roosevelt. There are many who try to block his noble endeavors, who use as their mean instrument the most sordid and petty politics. Their reward is a headline in today's newspaper. History will accord them obscurity.

I say to you that the deeds and efforts of President Roosevelt in behalf of the underprivileged, the downtrodden, the unemployed, and the masses of the American people will live long after the criticism and opposition of selfish interests are forgotten, just as the men who make them today will be forgotten.

Neither I nor any supporter of the principles of President Roosevelt needs to stand here and ask you to erect a memorial to him. The American people will take care of that. But we do ask you, in the interest of the American people and of future generations, to help us preserve those things of historical interest and value through the creation of this library.

You all know how many times, after our Presidents have gone, that private collectors ask exorbitant sums for documents, letters, manuscripts, and so forth that have fallen into their hands and that later Congress has desired to acquire for preservation. In my many years of service here I have been called upon many times to vote on bills, as have many others here, to appropriate large sums to buy records and other private papers of former Presidents, both Republican and Democrat, from private sources.

Here in this measure is an opportunity to acquire these valuable records while the owner of them still controls their disposal, thus saving the people future expense and preserving them for the future. Laying aside all petty political considerations, the passage of this measure is not only a practical but the patriotic thing to do, and I hope that even the most partisan Member will today rise above politics and vote for the passage of the measure.

I will conclude by saying that I hope that between now and the time debate on the resolution expires you gentlemen will give it serious thought and vote with us in passing it.

Some of you Members on the Republican side and even some Democrats at times feel it is wrong to say a good word

about a good man during his lifetime. I do not agree with you. I believe in expressing appreciation while a man lives. [Applause.]

Mr. Speaker, I now yield to the gentleman from New York 30 minutes, as he has requested.

Mr. FISH. Mr. Speaker—

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. FISH. Yes; I yield to the gentleman from New York.

Mr. TABER. What does the gentleman think about this situation: That if the documents are of real value historically to the country, they should be placed in a public library where they would be easily accessible, a library like the Congressional Library, or some big library in New York City, rather than being entombed and embalmed in some small place?

Mr. FISH. I may say to the gentleman from New York that that is the only issue before the House. These papers belong in only one place; not, as my colleague said, possibly in the Library of Congress, or some other library in New York City; they belong in the Congressional Library, beyond a possibility of doubt, and in no other place. They should be in the Congressional Library along with the papers of Washington, Jefferson, Jackson, and of all our Presidents down to the present time. As I proceed I will present the records regarding the papers of the different Presidents and the facts in detail.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. KNUTSON. Is this the most important legislation that the new dealers have to present to Congress? Is this going to solve the unemployment problem and put 10,000,000 or 12,000,000 idle men back to work?

Mr. FISH. I may say to the gentleman from Minnesota that I regret exceedingly that this bill is brought up, because I am fearful it will be adopted by a party vote and that a very deplorable and an unfortunate precedent will thereby be established. No bill should be brought before this House for the erection of a monument to a living man, especially a bill to provide by a vote of Congress for the maintenance of a public library away from the city of Washington to contain the papers of any President of the United States, be he Republican or be he Democrat.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield further?

Mr. FISH. I yield.

Mr. KNUTSON. The gentleman says it is improper and without precedent to establish a memorial like this to a living man. Would it not be all right when the man is dead politically?

Mr. FISH. I have to admit to the gentleman from Minnesota that I think that behind this bill is a certain nervousness on the part of the President and his friends, that they are not willing like other Presidents and their friends to wait upon the verdict of history to decide what place that President should have; and, therefore, now, during his lifetime, it is proposed to erect a library to him and have Congress maintain it and not await the verdict of history. No one in this House knows whether President Roosevelt will go down with Jefferson, Jackson, Cleveland, and Woodrow Wilson, those great Democratic Presidents, or whether he will go down in history with Pierce and Buchanan. I will have a little more to say on that later on. As Al Smith used to say, "Let's look at the record."

My friend from Illinois [Mr. SABATH] spoke here for 15 or 20 minutes in a most amiable way, but he did not enunciate a single sound argument or reason why the Federal Government should maintain this library at Hyde Park. Let me say to the membership that if there should be one man—and I do not believe there would be half a dozen votes for this bill if the vote were taken secretly so the administration would not know how the Members voted; there is no rhyme or reason for it while there are scores of reasons against it—but if there is any one man who should be for it, it is myself, because this library is to be erected in my congressional district.

The building is to be maintained by the Congress and by the Government in my congressional district. I have been bitterly attacked by the two largest newspapers in my district published in the city of Poughkeepsie, 3 miles from Hyde Park, for my views upon this subject. They came out in two or three different editorials denouncing me and urging my constituents in Hyde Park and Dutchess County to appeal to me, to write to me to change my views when this bill came up for reconsideration. As a result of these editorials in the two largest newspapers in my district I have received one letter from a proponent of the bill, some professor at Vassar College, one letter from the Roosevelt Home Town Club, or whatever they call it, in Hyde Park, one letter from the town board of Hyde Park, and a dozen letters against the bill.

That is all I have had from my congressional district, in spite of this tremendous appeal that has been made to my constituents to write and tell me I was wrong.

There is no better or finer town in the whole of the United States than Hyde Park. It is a great Republican town, and, naturally, many of the people of that town want this library. They want it maintained by the Government. Public subscriptions will be raised, or have already been raised in the amount of \$350,000. The building will be built there, I hope, by local labor. Then it is proposed that the Congress appropriate funds to maintain it, but no one has told us how much that will be. It may be \$40,000 or \$50,000, and I have heard it estimated as much as \$100,000 a year. I propose to offer an amendment to limit it to \$12,000 when the bill is read for amendment.

Of course, the people of Hyde Park would like to have this library. They would like to build it themselves with their own labor. They would like to have a dozen or more jobs in the library, and I have heard it claimed there would be as many as 40 jobs.

Mr. PATRICK. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Alabama.

Mr. PATRICK. Was the President born there?

Mr. FISH. Yes; the President was born in Hyde Park, and he has lived there all his life, but rarely has he ever carried the town of Hyde Park. Of course, that is another matter.

Mr. LEAVY. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Washington.

Mr. LEAVY. May I ask the gentleman if he does not think it would have been well if the precedent that is now about to be established, if this legislation passes, should have gone back to the days of George Washington and other Presidents, irrespective of who they may have been, and if each of those Presidents had donated his home, his birthplace, his papers, and would have constructed buildings as is here proposed, and would have then presented to the American people such property, it would now be a great shrine?

Mr. FISH. The gentleman is under some misunderstanding. The President is giving the Government, like practically all other Presidents, certain papers which ought to belong to the Government anyhow. Secondly, he is not giving the library, he is merely giving 12 acres of his land, which becomes tax exempt. The people of Hyde Park will have to pay for those taxes because those 12 acres automatically become tax exempt. He himself is giving his papers, and, I submit, and will prove as I go along, that those papers ought to be in the Library of Congress with the papers of all of our Democratic and Republican Presidents. We have a Congressional Library for which we appropriate huge sums of money. It has special archives called "Presidential Row." It has trained and skilled men in the manuscript division who study these Presidential papers and who are experts on those periods of history. People come from all over America to the Congressional Library to study the Presidential papers, not those of one particular President but of all Presidents. If you pass this bill you establish, in my opinion, a highly undemocratic precedent. I actually believe it an un-American, undemocratic, and unpatriotic precedent. I cannot imagine anything that is more undemocratic than Congress voting to

encourage Presidential papers being taken away from the city of Washington.

Mr. LEAVY. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Washington.

Mr. LEAVY. I want to answer the statement just made, if the gentleman will give me an opportunity, to see whether I am in error or not.

Mr. FISH. Then ask a question.

Mr. LEAVY. My understanding is that the plain provisions of this resolution provide that the President at his own expense will erect upon these 12 acres of ground such building as is required and will reimburse the Government for any services it renders in designing a building; then will donate the building with, not his public papers, but his private papers that belong to him and to his heirs, and these will be made available to the American people. It is that situation that I ask about.

Mr. FISH. The gentleman is in error. The President puts no money into that building. It has been raised by public subscription amounting to \$350,000.

Mr. LEAVY. Does the gentleman contend this legislation provides that the money shall be raised by public subscription?

Mr. FISH. Certainly. It has already been raised.

Mr. LEAVY. There is nothing in here to so indicate.

Mr. FISH. We have nothing to do with that. We are to maintain the library after it is built.

Mr. LEAVY. I am frank to say to the gentleman, if the Herbert Hoover birthplace in Iowa were offered under exactly the same conditions, I do not care whether it would be by public or private subscription, I as a Member on this side of the aisle would vote for it.

Mr. FISH. The gentleman does not even know what he is talking about. He has not read the whole bill. Furthermore, no Republican President would even think of asking in his lifetime to have the Government maintain a personal library in his home town.

Mr. LEAVY. I have read the bill.

Mr. FISH. The gentleman has made two or three misstatements. The President does not put a dollar into this library. The Government does not put a dollar into the building. That is raised by public subscription. We maintain the building in perpetuity and there is no limitation on the amount of money the Government may have to pay.

Mr. LEAVY. I challenge the gentleman to point out to the Members of the House where in this bill there is anything said that the money shall be raised either by public or private subscription.

Mr. FISH. I am telling the gentleman it has already been raised. The sum of \$350,000 has already been raised.

Mr. LEAVY. The gentleman very cleverly dodges the proposition I put to him.

Mr. FISH. Does the gentleman want to raise some more money? The bill, I have repeatedly explained to the gentleman, calls for no money to build a library.

Mr. PARSONS. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. PARSONS. The gentleman described our great Presidents. He admits that Franklin D. Roosevelt is a very great President?

Mr. FISH. I do not admit any such thing. Nor do I believe it. I am willing to let posterity determine that.

Mr. PARSONS. That is the way I understood the gentleman.

Mr. FISH. No. I personally believe he may go down as one of the greatest spendthrifts and one of the worst Presidents we have ever had, but let history determine that.

Mr. PARSONS. That is not in accordance with the language the gentleman used.

Mr. FISH. I said there was a certain nervousness on the part of President Roosevelt and his friends in regard to letting posterity determine where he will rank. He may rank with Jefferson, Cleveland, Woodrow Wilson, and Jackson, those great Democrats; yet he may rank, as I said, with

Buchanan and Pierce and be forgotten, except for the burden he saddled on the American people.

Look at the record. What does the record disclose? It shows that practically all Presidential papers are now in the Library of Congress.

George Washington: All but a very small percentage of his papers and the letters known to have been written by or to Washington are in the Congressional Library in Washington.

John Adams: Very few of his papers are here. The papers of the Adams family are understood to be in the Massachusetts Historical Society under control of a family trust. The case of the Adams family is an exception, and I believe a great mistake has been made by the Adams family. There could not be a greater mistake than to have those papers under the control of the Adams family, when they should belong in the Congressional Library and be open to the public. I do not know whether the Adamses were Republicans or Democrats, and I do not care.

Thomas Jefferson: The large collection, including the Presidential papers, is here. A very considerable body, largely of personal character, is in the library of the Massachusetts Historical Society. Why should they be there? They all ought to be in the Congressional Library.

Madison: The largest collection, including those which deal with the Constitutional Convention and with the Presidency, are here in the Congressional Library.

Monroe: The largest single collection is here. There are other groups, however.

J. Q. Adams: The situation regarding his papers is the same as in the case of John Adams.

Jackson: The great body of the Jackson papers is in the Congressional Library, although small groups are found elsewhere.

Van Buren: The great collection is here, including the Presidential papers.

Harrison: The main collection is here, and is small.

Tyler: The only collection in existence is in the Congressional Library.

Polk: The Polk papers, including the diary, are all in the Congressional Library.

Taylor: The only important collection, a small one, is in the Congressional Library.

Fillmore: A small group is here. The main collection is in the Buffalo Historical Society. It ought to be in the Congressional Library.

Pierce: The main collection is here, but there are others elsewhere.

Buchanan: A small group is here. The main collection is in the Historical Society of Pennsylvania, at Philadelphia.

This means that those who want to do research work and write about American history have to go to all these different places to find out the facts and to refer to the source material.

Lincoln: The Robert Todd Lincoln gift of the White House papers is here, but will not be opened until 1947. There are other groups elsewhere.

In reply to the gentleman from Illinois, I may say I do not know of any President who ever got a dollar for his papers. They have been largely donated to the Library or given by the widows to the Library, although I believe the Library has purchased some Presidential papers from private sources after their deaths.

Grant: There is no large collection.

Hayes: The main body of the Hayes papers is in the Hayes Memorial at Fremont, Ohio. The Government put up no money for that Fremont Library for Hayes, nor did the Government put up any money for any other library or other repository where Presidential papers may be kept.

This is a completely new precedent, establishing a memorial to a living man. It is utterly un-American, utterly undemocratic. It goes back to the days of the Pharaohs, who built their own images and their own obelisks. It goes back to the days of the Caesars, who put up monuments of themselves and crowned them with laurel leaves, and posed as gods.

Garfield: The papers of President Garfield are also in the Congressional Library.

Arthur: The main collection is in the Congressional Library, but in part is a deposit, not a gift.

Cleveland, a great Democrat: The great collection is here in the Congressional Library. There are other small groups elsewhere.

Benjamin Harrison: The Harrison papers are in the Congressional Library.

McKinley: The great collection is here. It covers the Presidency, particularly.

Theodore Roosevelt: The Theodore Roosevelt papers are in the Congressional Library.

The papers of President Taft are here, but as a deposit, not as a gift. Does anybody believe the Taft family would ever take a penny for those papers? If they do believe it, they do not know the Taft family.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. SABATH. Why does not the Taft family donate the papers?

Mr. FISH. The reason they do not donate the papers is simply this: Many of the Presidents and many of the Secretaries of States, too—and I hope I have time to refer to the Secretaries of State because their papers are also in the Congressional Library—do not want their papers opened immediately. As in the case of the Lincoln papers, Mr. Lincoln's son did not want President Lincoln's papers opened, for personal reasons, until 1948. The Taft family may have personal reasons for not donating the papers at the present time.

A year ago I myself donated to the Congressional Library 30 boxes or trunkloads of papers of my grandfather, Hamilton Fish, who was a United States Senator, a Member of the House of Representatives, and Governor of the State of New York, and for 8 years Secretary of State under the Grant administration. This was probably the greatest collection of official papers and letters that is in existence. It includes letters from numerous Presidents, as well as letters from Clay, Calhoun, and Webster, and from Charles Sumner by the score. These papers are of much more real value than the papers of President Roosevelt today because such papers do not have much value until the men have been dead for a number of years and a sales value is developed. I donated these papers because they ought to be in the Congressional Library. However, my grandfather in his will expressed the desire that his papers be not donated immediately because of a personal row with Sumner. He did not want them released to the public for a number of years after the death of those referred to.

Let me go on. Most of the Presidential papers have been donated with just a few exceptions.

Wilson: Certain letters and papers of President Wilson are deposited here, but are not open to investigators.

Harding: The Library has a few letters written by President Harding, but the Harding papers are understood to be in the Harding Memorial at Marion, Ohio.

It is my belief there are very few papers left in the Harding collection. I am under the impression most of them were destroyed, because I have tried for years to get one single letter written by President Harding and signed by President Harding, and I have been unable to do so. I wanted this for a collection of letters of all Presidents in the library at Williams College. They have a complete collection, except for a letter from President Harding. If anybody in the House or anywhere else knows where I can get a letter that President Harding has signed I would like to know about it in order to complete that great collection.

Coolidge: The papers of President Coolidge are here, but as a deposit and not as a gift. I understand that anybody who is studying the papers or the writings of President Coolidge, all he has to do is to ask Mrs. Coolidge, and she will let him see all the papers they may desire. That is the understanding in the Congressional Library.

President Hoover: The papers of President Hoover are at Palo Alto, at the university out in California.

I think they ought to be here with all the rest of the Presidential papers, but he has put them there at his own expense, while this proposal is to maintain the papers of President Roosevelt and establish this precedent, which means that every other President will come back to Congress for the same kind of appropriation for his home-town library.

Let us get rid of all this sob-sister stuff and shedding of crocodile tears, saying that we must erect a monument to a living man. If you do it for one, you do it for all, and that is why this precedent is wrong in every way.

If these Presidential papers are taken away from Washington and scattered in the future all over America, in Squeedunk and Podunk, writers, students, and those who do research work will have to spend thousands of dollars to go from one little town to another when we have already erected a Congressional Library at great cost in order to keep these Presidential papers. We have 20 men in the Manuscript Division of the Library of Congress doing nothing else but looking after these historical papers of Presidents and Secretaries of State. In addition, there is a special photostat bureau with experts in charge. Now you come along and on political grounds, with no reason whatever advanced and with no argument except one of party, you say that we must do this for President Roosevelt, because he wants it done.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. KNUTSON. I agree with the gentleman that these papers should be deposited in the Library of Congress in Washington, so that they may be available to the statesmen of the future so that they may go there and go over these papers and learn how not to run a government. [Laughter.]

Mr. SABATH. Well, well, well!

Mr. FISH. Mr. Speaker, it is a little difficult beginning this debate, but I do not think it makes any difference, because I imagine you have made up your minds and nothing I can say will deter you or change your decision. You will probably vote for this and say, "We cannot put these Presidential papers in The Archives Building. The Archives Building is already filled." This was stated in the debate the last time. I took the trouble to go down to The Archives Building a few days ago. It is one of the most magnificent buildings in Washington or anywhere else in the world. It cost \$12,000,000. It is about one-third filled and may not be filled for another 25 or 50 years, but, as a matter of fact, that argument which was presented to you as a reason for being for this bill the last time does not hold water. These Presidential papers do not go to the Archives Building, they go to the Congressional Library.

We have just built a new annex to the Congressional Library of 25 acres. They have enough room to hold Presidential and Secretary of State papers for hundreds of years to come, but you will hear the argument advanced that there is no place left for us to take care of these papers in either the Library of Congress or The Archives Building.

It has also been very noticeable, in some of the propaganda which has accompanied the proposal of the Franklin D. Roosevelt Library, Inc., to have it taken over by the Government of the United States, that attacks and criticisms have been made on the Library of Congress and on other collections of papers of Presidents of the United States, the distinguished predecessors of the present incumbent of the White House. These attacks and criticisms, deprecating as they do previous work in the same field for the purpose of "building up" the Roosevelt proposal, are wholly unworthy, if not unpatriotic; for there can be no question in the mind of any fair-minded person that what the Government has already done by special acts of Congress or through its regular agencies, as the Library of Congress, has been proper and right.

Large expenditures are alleged to have been incurred. The present proposal asks for unprecedentedly large expenditures for the acquisition and care of one man's papers. Nobody knows what the appropriation will be in this bill. It may be \$50,000, it may be \$100,000. It may be the interest on several million dollars a year. I propose to offer

an amendment to limit it to \$12,000. I think that is ample for the maintenance of one man's papers outside of the city of Washington. I wish to God there was something that I could say to change one vote on the Democratic side. I know that I cannot. I know that we have all of the logic and reason on our side. I know that this Congress would not appropriate one thin dime for the maintenance of the Mellon Art Gallery if it were located in Pittsburgh, but when he gave his pictures and had them brought to the city of Washington, where they ought to be, then we appropriated money to maintain them here, and not where he was born, in the city of Pittsburgh. That argument will be brought up, that we have done something to maintain the Mellon Art Gallery, but he has given \$50,000,000 of his own money for pictures to promote Washington as an art center. This Roosevelt Library is not to be in the city of Washington. It is in my district, and if anybody should be for it, it is myself, but I shall never be for this library or for any private library for any President, Republican or Democratic, because it establishes a wrong precedent and it is totally undemocratic and totally un-American—taking these Presidential papers away from Washington where they could be seen, and where we have already got 20 men working on these official papers, paid by the Government of the United States. It is proposed now to set up a precedent for every President to follow from now on, to have a little library for his own personal papers, and then have our historians, rich and poor alike, chasing around after information all over the country. Is that democratic, or is this proposition democratic—raising a monument to a living man? Is that a sound precedent in America, where we still call ourselves a democratic nation?

Mr. GREEN. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. GREEN. I do not understand the difference in a great monument to Mr. Mellon, who served through three Presidents, and erecting one to the greatest President.

Mr. FISH. Oh, the gentleman was not listening to what I said. I said that if that art gallery were erected in Pittsburgh, where Mr. Mellon was born, we would not give one thin dime out of the Treasury of the United States to maintain it; but when it is here and is a gift in the city of Washington, where we want it, then we do provide for it, and the gentleman probably voted for it. If we needed more manuscript room in the Presidential row of the Congressional Library, if they needed a couple more men, I would vote for it, although they already have 20 men there now. But to provide for 20 men for the Roosevelt papers in Hyde Park, some 250 miles from here, is an entirely different situation.

Mr. GREEN. Then think of the millions of dollars of taxes that were excused in the other case. There is nothing like that in this case.

Mr. FISH. Let me say to the gentleman, in the name of all the gods at once, upon what meat doth this our Caesar feed that he hath grown so great? What is good enough for Washington and Jefferson and Jackson and Lincoln and Cleveland and Wilson and Theodore Roosevelt ought to be good enough for Franklin Delano Roosevelt, but apparently it is not. He comes in here asking special privilege of the Democrats, and the party whip is cracked, and without a sound reason or a sound argument you are told that you must vote for this thing and establish a precedent here that we maintain a library—a precedent for all time—and have these Presidential papers taken out of the city of Washington. [Applause.]

The SPEAKER. The time of the gentleman from New York has expired.

Mr. SABATH. Mr. Speaker, I yield now to the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I dislike to take the floor again on a matter of this kind, because I expressed my true feelings rather fully a Monday or two ago when this matter was under consideration. After more than 26 years in this House I feel I know that if the majority party with any President—take the three Republican Presidents that party has

had in 12 of those years—had offered a bill exactly like this, with the name simply changed, that it would have met with little or no opposition on the Democratic side of the House. I feel that I know that. We did not hate Mr. Harding or Mr. Coolidge or Mr. Hoover. I never knew Mr. Harding personally. If I ever met him in my life, I do not remember it. I was sorry, deeply sorry, for the way some people in the United States of America treated Mr. Harding. I still believe, and I shall maintain as long as breath is in my body, that there has never been a President of the United States who was not an honest man.

I knew Mr. Coolidge fairly well. Frankly I liked him very much. I had breakfast with him one morning along with my friend from Massachusetts, and I remember their conversation about when they were in the Legislature of Massachusetts together, and some old hotel in which they lived, and so on. I had a good time with him. If a resolution such as this had been presented to have preserved the papers of Calvin Coolidge up at Northampton, I would have been proud to vote for it.

I knew Mr. Hoover for 8 years. He appeared before the committee of which I was a member, as Secretary of Commerce. I liked him. I thought he was a highly capable man as Secretary of Commerce. I never did think he would make a good President, and I think my fears on that subject were wholly justified by a complete demonstration of 4 years; but I did not dislike him.

I remember when Mr. Wilson was President. It is a rather funny thing. It does not apply to all Republicans. It never has. But there was a large percent of the Republican membership of this House that would turn pale, like the gentleman from New York [Mr. FISH] turns when he discusses Mr. Roosevelt, when they got up on this floor to talk about Woodrow Wilson. Now, the gentleman from New York [Mr. FISH] is a pretty good hater, you know. When Woodrow Wilson's name was mentioned they would turn pale. I never could understand just exactly why a certain percentage of Republicans should so hate a Democrat.

If another name were substituted in this resolution for that of Franklin D. Roosevelt, I doubt very seriously whether it would have a great deal of opposition on the Republican side of this House. I just do not think that my folks do that way.

Now, I am going to put in the RECORD, in my extension of remarks, a statement that was not prepared by me, but which I think is true, to show how the papers of the various Presidents are scattered throughout the length and breadth of the land. No President's papers are in any one place. A great many of them have been destroyed by fire. A few of them are in the Congressional Library. Some of them are in State historical societies. Some of them are still in the hands of individuals. The Lincoln papers will not be available for the public, as I understand it, until 1947.

These are Mr. Roosevelt's papers. These are his private papers. He has a right, when he leaves the White House, as he did when he left Albany and as he did when he left the Navy Department, to pick up any paper of any private nature and burn it or hide it away to be looked at 100 years from now. But Mr. Roosevelt wants these papers to be made available. To be frank about it, I think he is doing a beautiful and a generous thing. Was there any kick on our side of the House when there was a monument built down here and the land donated and the care and upkeep of it made a charge upon the Government from now on, when it was proposed that that memorial be set up in perpetuity to Andrew Mellon, who typified a certain class of business, a certain class of politics in the United States? You cannot separate it from being a monument to Mr. Mellon. And I was glad to support it. It is a remarkable thing that some people in this House, and especially the Representative from the district in which Mr. Roosevelt lives, get so disturbed when his name is mentioned. He is the most distinguished citizen who ever lived in that district, and probably the most distinguished who will live in it during the lifetime of any of us. If he has done one thing, if he has uttered a sentence in the more than 6 years

he has been President of the United States which pleased his Congressman, I have never heard him make a public statement to that effect.

Of course, he does not like Mr. Roosevelt. I do not know exactly how Mr. Roosevelt feels about him [laughter], but I can imagine, as I still have some imagination left in this material world in which I live. But I think it is most unfortunate. I believe that if the worst Republican I ever knew—and I have known some bad ones, just like I have known some bad Democrats—were President of the United States and lived in the district that I represent in Congress—I am not out of humor at all—if he lived in my district, I think I would allow somebody else at least to take up the personal cudgels against him. I would want the people to know that I represented a district that was proud of the fact that the President of the United States came from that district, just as Virginia used to be proud to be called the "Mother of Presidents," and like the great State of Ohio was proud that it came along following Virginia as the "Home of Presidents." Frankly, I would just be proud of it. I have tried to be proud of every President I have ever known and of everyone about whom I have read.

I want to say one thing to the gentleman from New York [Mr. Fish]: When he was talking about great Democrats and poor Democratic Presidents, if he will reread his history about the administration of James K. Polk, of Tennessee, he will probably revise his opinion of that great Tennessean, who was one time Speaker of this House, because I think he will find that in the administration of James K. Polk in all probability as many permanent and far-reaching things were done in Washington as in most other 4 years in the history of American politics.

I am sorry, as the gentleman from New York says he is, that this vote is going to divide up and down the center aisle; I am tremendously sorry for that. I think it is not going to be a fine spectacle in the House of Representatives. Every Democrat on the motion to suspend the rules voted to pass this bill. It is my presumption that everyone on the right of where I stand will vote the same way today; and I am deeply sorry, loving this place as I do, after an association here with such men as the gentleman from Pennsylvania, GEORGE DARROW, during all these years, sometimes sad but usually glorious, that you gentlemen on the Republican side of the aisle from New York and from the other States should take the position you do.

Let me say to you that the press of the country is a pretty good interpreter of what will be written as history. They have not sustained you on your action of a few weeks ago, and they will not sustain you on the action you intend to take today, because they will believe as I believe, and as we all believe, that your vote today is being cast because Franklin D. Roosevelt is Franklin D. Roosevelt and because he is a Democratic President of the United States.

Let me say, furthermore, to this Congressman, the gentleman from New York [Mr. Fish], that he need not fear about the place of Mr. Roosevelt in history. Mr. Roosevelt is like another great Democratic President of the United States who said:

It matters not what my personal fortunes may be, I am willing to play for the verdict of mankind.

[Applause.]

That man was Woodrow Wilson, loved and hated as few men have been since Jackson. If there was ever a man in the history of American politics who was hated it was Old Hickory Jackson, yet today when the roll is called of the great Presidents from Washington to Roosevelt no man leaves out the name of Andrew Jackson. [Applause.] He was hung in effigy more than any other President. He was cartooned with Arbuthnot and Armbruster hanging on either side of him, the great murderer. He was hated because he believed that brains and character should run this country, and not the bank of Philadelphia. [Applause.] Today, however, no man when he calls the roll of the great men who have been at the helm of this mighty state leaves out the farmer, gentleman, soldier, statesman, who today sleeps

on the ground of The Hermitage in the middle of that lovely State known as Tennessee. [Applause.]

Mr. Speaker, the matter referred to as in my remarks is the following statement prepared by efficient people interested in the library bill:

Throughout American history Presidents retiring from office have removed from the White House all correspondence and documents addressed to them, because these papers and documents have always been considered personal property. After retirement some Chief Executives have totally destroyed such material; others have partially destroyed it, edited the remaining portion, and sold their collections; and still others have disposed of their papers in a manner making research and study of their collections impossible.

In order to acquire valuable Executive papers, Congress often has found it necessary to appropriate large sums for the acquisition of this material from Presidential heirs and individual collectors. In most cases purchased collections were incomplete, and from time to time additional sums must be spent to gain ownership of papers considered necessary to make existing collections more complete.

As an example of the present difficulties encountered by the historian who aspires to write a book concerning national development during the administration of President James Monroe, in order to utilize source material, it would be necessary for him to travel to such widely separated places as Washington, D. C., capitals of foreign nations, New York City, and private libraries in the United States and Europe.

It is the general impression that the papers of President Monroe are preserved in the Library of Congress, but the Gouverneur collection of Monroe papers is owned by a private citizen of Washington, D. C.; approximately 1,200 items are in the New York Public Library; unpublished notes written by Monroe when he was Ambassador to England to the Russian Ambassador to London were discovered in the Vorontsoff family library in 1935 and were to be published by the Academy of Sciences of the Union of Soviet Socialist Republics; and other individual letters and documents are held by private collectors and libraries.

It is also a popular belief that the papers of Thomas Jefferson, whose library was given to the Government and constitutes the nucleus of the Library of Congress, are contained in the Library of Congress. It is true that the main collection is preserved in this manner, but his private papers are, for the most part, at the Massachusetts Historical Society Library; 186 letters to his daughter, Mrs. Martha Jefferson Randolph, are in the Pierpont Morgan Library; important papers covering the period from 1779 to 1835 are owned by the Pennsylvania Historical Society; for the period from 1788 to 1825, by the Buffalo Historical Society; for the period from 1789 to 1798, by the Virginia State Library; for the period from 1791 to 1835, by the Yale University Library; and other papers, for the period after 1791, are held by the American Philosophical Society and the Missouri Historical Society.

The same circumstances, applying in the cases of Jefferson and Monroe, are true with regard to 13 Presidents. The papers of nine Presidents are not available for research by reason of private ownership by heirs or explicit instructions that they are not to be opened until fixed periods of time have elapsed. The papers of six Presidents are thought to have been totally or partially destroyed by fire so that it will never be possible to assemble complete collections. Many collections held by the Library of Congress are fragmentary and of little value except as museum pieces. Since most of its large collections were acquired by purchase, the value of material not owned by the Library has increased, is eagerly sought by private collectors, and the completion of Government collections will be a costly process.

Many of the papers of Harrison, Tyler, Fillmore, Lincoln, Grant, and Harding are believed to have been burned. The Harrison papers still in existence are held by the Wisconsin Historical Society, the Library of Congress, and individual owners; the Tyler papers by the Library of Congress, but the greater part of his collection was left to his widow's care and was destroyed in the burning of Richmond in 1865; and the surviving Fillmore papers are owned by the Buffalo Historical Society and the Yale University Library. It is thought that most of Fillmore's papers were burned by his son's executors in 1891 in accordance with a mandate in the son's will.

The Lincoln papers in the possession of the Library of Congress will not be accessible until 1947, two other collections are owned by private citizens, and individual items are in the hands of collectors. Grant is said to have destroyed his own collection of papers and if any survive they are in the hands of various descendants or individuals. One of the most valuable books concerning the Grant administration—as a matter of fact, so significant that it won the Pulitzer prize for biography in 1937—was written by Dr. Allan Nevins, professor of American History at Columbia University, and was entitled "Hamilton Fish—The Inner History of the Grant Administration."

President Harding is popularly reported to have personally destroyed many papers pertaining to his administration, but the collection still in existence is in the possession of the Harding Memorial Association of Marion, Ohio.

The papers of President Coolidge are inaccessible to historians or the public and their eventual disposition appears to be a subject of uncertainty. President Buchanan's collection is held by the Pennsylvania Historical Society; Hayes' by the Hayes Memorial Library at Fremont, Ohio; and the papers of John Adams and John Quincy Adams are in the possession of the Adams family and are not available for research purposes.

President Herbert Hoover, probably conscious of the aid to research afforded by the separate preservation of source material along the lines of period and locality, constructed a library at Stanford University, California, known as the Hoover Library on War, Revolution, and Peace. There his valuable collection, including his personal library and important correspondence covering his many years of public service, is deposited.

Many of the Cleveland papers are privately owned, some are in the Library of Congress, and a sealed box of papers deposited in the New York State Library is to be opened this year. The collection of Woodrow Wilson is owned by Mrs. Wilson, and only Mr. Wilson's biographer has had access to it.

As the result of lack of uniformity in the methods of preserving Presidential papers, of the incomplete nature of even the largest collections, and of the scattered location of important papers which should have been preserved as a unit, it has not been possible for scholars, historians, and those interested in political science to properly analyze, for the benefit of government and history, the background and purposes of many important matters having their origin with the Chief Executives without extensive travel and large expenditures.

Some may argue that Presidential papers should automatically become the property of the United States Government; the same line of reasoning should apply to all duly elected representatives of the people. On this basis the correspondence, research material, and other information contained in the files of Members of Congress should become Government property when Members of Congress retire from office. Perhaps it is not necessary to cite the significance of speeches and letters by Webster, Clay, and other former Members of the legislative body in the formation and clarification of our democratic principles and policies. Like the papers of Presidents, the important collections of these individuals are located in cities and towns from boundary to boundary of the Nation, preserved by patriotic societies, libraries, and individuals. Presidential papers may be more comprehensive with respect to the activities of government, yet they are no more the property of the Government than the papers of any other elected or appointed individual discharging governmental responsibilities. Both practice and precedent have contributed to the theory that correspondence and documents of this kind are private property.

Since President Roosevelt's papers constitute the largest collection of Presidential papers in existence, and being mindful of the importance of preserving historically important material pertaining to the executive branch of the Government, the subject of their disposition was discussed with friends who suggested that he appropriately might seek the advice of historians and archivists, and a meeting with some of them was arranged for this purpose.

Many of those who were consulted by the President have stressed the importance of preserving intact all documents covering the years of President Roosevelt's public life, both in New York State and in the National Government. They have pointed out that all these papers overlap, that to separate them would destroy the unity which makes the collection unique among collections of executive papers, and that the only way to preserve this gift in the manner which will best facilitate all forms of research and study is to erect a separate building as a repository.

The historical material constituting the proposed gift of President Roosevelt may be briefly classified as follows:

First. Public and personal papers: These include practically all incoming and copies of practically all out-going correspondence, as well as other material covering his years of service as New York State senator, 1910-13; as Assistant Secretary of the Navy, 1913-20; as Governor of New York, 1929-33; and as President of the United States. They include also a large volume of political material, especially material relating to the Presidential campaigns of 1920, 1924, 1928, 1932, and 1936, and a smaller accumulation of other material of a miscellaneous character.

Second. Historical manuscripts, etc.: These consist chiefly of material relating to the history of the American Navy since 1775, which over a period of many years was collected from various sources. They include letters, log books, and other manuscripts, paintings, drawings, prints, and models of many famous American naval vessels.

Third. New York State material: This group includes a historically valuable collection of material relating to the State of New York and the Hudson Valley.

Fourth. Books and pamphlets: This collection numbers approximately 15,000 books and pamphlets. Some of them are rare items, many are autographed copies from the authors, and the great bulk of them are important works on American history.

A recent survey of the portion of the material that is now stored in Washington shows that the papers and books occupy between 5,000 and 6,000 linear feet of shelf space. Other items include over 400 pictures and prints of sizes varying from 12 by 18 inches to 36 by 48 inches, in addition to many smaller ones, 37 ship models, and approximately 7,000 volumes. At Albany there are approximately 50 boxes, size 2 by 2 by 2 feet, containing the personal and unofficial public papers of Mr. Roosevelt's two administrations as Governor of New York. There is also a considerable miscellaneous collection at Hyde Park, N. Y., which has not yet been surveyed.

Acting upon the advice of those whom he consulted, the President decided to give his private papers, documents, library, and pamphlets on subjects pertaining to historical events of this period, works of art, ship models, pictures, photographs, maps, and other similar material to the Government. A group of business leaders offered to cooperate with the scholars who suggested the plan for preserving the gift, by raising funds necessary to build a repository for the collection along lines to be determined

by leading archivists and historians and in keeping with the modern conception of library technique. The President then offered a tract of land from his estate at Hyde Park, N. Y., as a site for such a building. Public announcement of these gifts was made on December 10, 1938.

It should be noted that the proposed location of the library at Hyde Park, N. Y., is in keeping with the methods advocated by historians and authors engaged in research work related to history. Today there is so much source material, accumulated through more than 150 years of national development, that the mature years of a man's life would not constitute a period of sufficient length to permit the writing of a general history from original sources. Instead, scholars prepare new general histories by referring to outstanding books covering specific periods. In other words, the best book or books concerning the Revolutionary period, the Civil War period, and other periods, all written from source material, would be consulted. The new work would condense and consolidate the facts in the manner best suited to the purposes for which the new book might be written. In this way, revised, chronological data for public use covering the most important periods and events, can be presented in a single volume.

A scholar studying the economic development of the United States would utilize the work of individuals considered as outstanding authorities on economic development during each era of progress, authors of textbooks, and general nonfiction work pertaining to political science would follow the same method, and the principle applies in other associated fields of literature and history.

It is not difficult to understand why authors of histories and books on associated subjects, as well as works of fiction dealing with a certain period of history, prefer to have source material preserved on the basis of periods of national development. Naturally, the task of those engaged in research is facilitated by having the majority of source material pertaining to a given period, preserved at one location and administered by librarians and their assistants who, by reason of intimate knowledge of this material, can render the most effective service in advising and assisting authors.

Coupled with the desirability of segregating source material by periods of history, there is a further advantage to research in localizing source material whenever it is possible to do so without destroying the unity of a collection. "Localizing" may be defined as "establishing research centers in various localities where material holding definite local interest may be preserved." The historical societies of the Western States probably contain more informative material concerning the development of the West than is to be found elsewhere. This material is used in the preparation of State histories, but it is also important to the record of national growth since reference to it must be made in describing the national acquisition and development of the territory west of the Mississippi River. These libraries contain the collection of papers of individuals who contributed to the development of particular States as well as the important documents of Presidents of the United States and high ranking Government officials who were natives of the State and may have held State offices prior to their assumption of duties which were national in scope. Most of the other States, like those of the West, have State historical societies and State libraries where historical material is similarly preserved.

The result of the preservation of source material in this manner has been to stimulate interest in historical research throughout the country by affording ready accessibility to students and historians. It also has had the tendency to centralize material pertaining to locality and to individuals identified with the locality. Historians engaged in research work are primarily interested in a certain period of history, a definite locality, or a specific person. It would be financially impossible for authors with limited resources to visit Washington, D. C., for the purpose of devoting many weeks to intensive research. Under our present system it is possible for a complete history of the United States to be written without visiting the Library of Congress or the United States Archives. Books upon all phases of history have been written by qualified individuals from source material, and copies are contained in the larger libraries where they are available to all citizens.

In addition to conforming with the generally accepted principles of preserving historical material, it has been pointed out by authors that the location of the library at Hyde Park, N. Y., will make it possible for the President, upon his retirement, to render invaluable assistance in classifying material and in supplying information which might be helpful in clarifying the intent and purposes of documents. Archivists and librarians have cited the belief that decentralizing source material would decrease the hazard of fire or other calamity which under a policy of preservation at one point might result in a loss of the major portion of our important historical records.

Obviously it would be impossible and impractical to assemble all source material in the Library of Congress or the United States Archives. The administration of so much material would be cumbersome; suitable facilities for its preservation would be lacking; only a small percentage of individuals would be economically qualified to engage in historical research because of the expense of traveling to their National Capital; millions of school children who visit local libraries for study and inspiration in matters pertaining to patriotism and history would be deprived of the opportunity of viewing historic documents; and such a policy would be bitterly contested by public libraries, historical societies, and private citizens.

Several meetings were held by the various groups interested in the acceptance and preservation of President Roosevelt's gift, and as a result of these meetings the Franklin D. Roosevelt Library, Inc., was incorporated in the State of New York to carry out these purposes in the manner determined to be most beneficial both to the public and to historians. Committees were formed to direct the program that would make it possible for the Federal Government to accept the gift, and their activities are now under way.

The SPEAKER. The time of the gentleman from Texas has expired; all time has expired.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. KELLER. Mr. Speaker—

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. KELLER. I yield.

Mr. FISH. I just wanted to say to the gentleman from Texas [Mr. RAYBURN] that I agree thoroughly with his remark that Andrew Jackson was one of our great American Presidents, but that is all I agree to in the remarks made by the gentleman from Texas.

Mr. SABATH. That is more than we expected from the gentleman.

Mr. KELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 118 to provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 118, with Mr. BOEHNE in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent the first reading of the joint resolution was dispensed with.

Mr. KELLER. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, I see no reason for getting excited over the discussion of a matter of this character. It is, as the gentleman from New York well said, a very simple question. He reduced it, in his opinion—I refer to the gentleman from New York [Mr. FISH], of course—to one question only, and that is whether there is any other place that ought to be considered for the deposition of the papers of Franklin D. Roosevelt except in the Library of Congress. He then proceeded to make a number of misstatements—because apparently he has not had time to study this subject. I am going to correct his misstatements as I proceed in this discussion.

We find it necessary to take up the Senate bill instead of the House bill, because the Senate passed the bill ahead of us. In the meantime, the reorganization of the Government had been brought about, and this made it necessary to make certain perfecting amendments purely for the purpose of making the bill fit into the reorganization program. You will find, therefore, that on page 2 of Senate Joint Resolution 118 we had to change the title "Secretary of the Treasury" to "Federal Works Administration"; and we had to change "Treasury Department" to "Public Building Administration." To make the bill comport with the Government reorganization, on page 3, in line 4, we had to change "Procurement Division" to "Public Buildings Administration"; and, again, "Secretary of the Treasury" had to be changed to "Federal Works Administration." Further down on the same page, in line 19, the words "Provided further" had to be added to make the bill fit in with the general expression of the bill.

On page 7 we took out "Director of the National Park Service" and substituted for it "Commissioner of Public Buildings." This has been done, as I stated, for the purpose of making the bill fit in with the reorganization program that was brought about under a law passed by Congress. I want now to take up with you what this bill really is, what it provides, and then present the reasons supporting it.

You will find at the top of page 2 the following:

Title II of the joint resolution provides for the acceptance and maintenance of the library upon the following terms:

1. That the Archivist of the United States be authorized to accept for and in the name of the United States from the Honorable Franklin D. Roosevelt, or from such person or persons as he may designate to act for him, a tract of land, consisting of approximately 12 acres to be carved out of the donor's estate in the town of Hyde Park, Dutchess County, State of New York, and located on the New York-Albany Post Road, to be utilized as a site for the Franklin D. Roosevelt Library.

2. That the Archivist be authorized to permit the Franklin D. Roosevelt Library, Inc., a New York membership and nonprofit corporation, organized for that purpose, to construct on the said site by private subscription of funds a suitable library building or buildings, in accordance with plans and specifications to be approved by the Archivist, in which these collections of historical material and future additions thereto shall be housed.

I am reading this because I feel very few Members of the House have had an opportunity to study what really is in the bill. I am quite sure the gentleman from New York [Mr. FISH] has not.

3. That, upon the completion of the above-mentioned project, the Archivist of the United States be authorized to accept from the donor the historical material described herein, and to acquire by gift, loan, or purchase, similar related material from other sources.

4. That the United States agrees to provide in the future such funds as may be necessary for the upkeep of the said library and for the administrative expenses and costs of operations thereof so that the said library shall at all times be properly maintained.

5. That a board of trustees be established, consisting of the Archivist, who shall be chairman, the Secretary of the Treasury, and five members to be appointed by the President of the United States. The trustees are to serve without compensation, but are to be allowed their necessary expenses incurred in the discharge of their duties. The board is authorized to accept, receive, and administer gifts and bequests of personal property as trust funds for the benefit of the Franklin D. Roosevelt Library, and to use such funds in the purchase of equipment for said library, in the preparation and publication of guides, inventories, calendars, and textual reproduction of material in the said library; and in the purchase of historical books related to and other historical material contemporary with and related to the historical material acquired from Mr. Roosevelt.

6. That the immediate custody and control of the said library (except as the same is vested by law in the Director of National Buildings, Parks, and Reservations) and its contents shall be vested in the Archivist of the United States, who shall be authorized to appoint and prescribe the duties of such officials and employees as may be necessary for the execution of the functions vested in him by law in connection with the said library.

7. That the Archivist be authorized to prescribe regulations governing the arrangement, custody, protection, and use of the material deposited in the said library and to make the material available to the public free of charge, except that he may, in his discretion, charge and collect a fee not to exceed 25 cents per person for the privilege of visiting and viewing the exhibit rooms and museum portions of the said library, and to pay the funds so derived into the trust fund above referred to in paragraph 5.

8. That the Archivist be required to make a report to Congress at the beginning of each regular session covering the operations of the said library, including a detailed statement of all accessions, dispositions, receipts, and expenditures for the preceding fiscal year.

9. That the cost incurred by the Archivist in carrying out his duties in connection with the said library be paid out of the appropriations to The National Archives Establishment as other costs and expenses of The National Archives Establishment are paid.

Mr. Chairman, there are plenty of copies of the bill available, and those who desire copies of the report may obtain them also, because they, too, are available. If you will follow the bill and the report you will be able to follow what I am about to say.

Beginning at the bottom of page 23 of the hearings you will find the following analysis of the bill by Prof. Samuel Eliot Morison, of the Harvard College Department of History, and it answers, in my judgment, practically everything that anybody wants to know, because I asked him to make it so plain that it could not be misunderstood.

In answering my letter he said:

The creation of a building where the archives and collections of a President of the United States are brought together for permanent preservation is a matter of far-reaching importance to historians and to American history. American history has suffered from the neglect of papers of past Presidents. Although many Washington, Jefferson, Lincoln, Wilson, and other papers have been secured by the Library of Congress, these are but a fragment of what they were when they left the Executive Mansion.

I want to emphasize that, because I want the Members of the House to understand the facts.

President Hoover is the only President of the United States so far who has preserved his archives and collections intact, and his building is at Palo Alto, Calif.

As I assume the committee is already familiar with the Franklin D. Roosevelt Library scheme, I shall write my memo in the form of answers to questions that some of the Members might wish to ask. I am speaking as a professor of American history, author of several books on the subject (list in Who's Who in America), and one who has done research on the papers of several Presidents.

Question. Why aren't President Roosevelt's Presidential papers sent to The National Archives after he retires from the Presidency instead of having a special building put up for them at Hyde Park?

Answer. Because a good deal more than his Presidential papers is involved. In addition to them, which The National Archives could receive, there are several other units in his collections which they aren't authorized to receive and have no place for, such as (a) New York gubernatorial and other New York political papers; (b) private library; (c) naval history manuscripts; (d) naval history prints and ship models; (e) various museum objects. The National Archives can handle only archives, not collections. The Library of Congress can handle only books and manuscript collections, not archives nor objects.

Question. Why shouldn't these be split up, the Presidential papers sent to The National Archives, books to the Congressional Library, others to the Smithsonian, New York Historical Society, etc.?

Answer. Because that would destroy the unity. All these collections and archives overlap more or less, as they have been accumulated by a President of the United States. In that respect they are unique. We have here the records of a Governor of New York, an Assistant Secretary of the Navy during the World War, a President for two terms, and, besides, the historical papers, books, and objects of a great collector. It would be a crime to break up this unique assemblage of historical sources and objects of personal interest, and the only way to keep it together is to erect a special library-archive-museum building to hold it.

Question. Won't history students find Hyde Park inconvenient and hard to get at, compared with Washington?

Answer. Hyde Park is certainly not so handy a place for students as Washington, but the inconvenience of the location will be more than compensated by the value, for future students of the life and administrations of Mr. Roosevelt, in having all the materials together. The sentimental value of having the library at Krum Elbow, Mr. Roosevelt's home, is also to be considered.

Question. Has the President the right to take his files away with him?

Answer. Yes. The White House has been cleared of every President's archives at the expiration of his term, or at his death, if he died in office; the files of his administration have been considered his personal property, to deal with as he or his heirs saw fit. And down to President Hoover's administration, the major part of the Presidential files were destroyed before leaving the White House.

Question. What have former Presidents, in fact, done with their papers?

Answer. Some (for example, U. S. Grant's) were totally destroyed by the ex-President, others (for example, Jefferson's, Madison's), after much editing and dilapidation, have been given or sold by the Presidents' heirs to the Library of Congress; others (for example, Lincoln's and Garfield's) have been kept fairly intact by the family, but not opened to investigators. Only the Hoover, Hayes, and Harding papers are housed in buildings specially constructed.

Question. Does not this removal of papers from Washington hamper the work of the Government departments?

Mr. WADSWORTH. Will the gentleman yield?

Mr. KELLER. I yield to the gentleman from New York.

Mr. WADSWORTH. Is it not a fact that the Coolidge papers are in the Congressional Library?

Mr. KELLER. They are deposited there, but not as a gift. I will come to that and will cover the whole thing, if the gentleman will permit me.

Does not this removal of papers from Washington hamper the work of the Government departments?

Answer. No; because every incoming letter at the White House that concerns a Government department, or has to be dealt with by it in some way, is passed on to the proper department or official, and only a record or copy of it kept in the White House files. Consequently, anything in the Presidential archives that concerns official or other Government business exists either in original or in duplicate in the appropriate permanent depository at Washington.

Question. Why does the National Archivist come into this picture, when the F. D. Roosevelt papers are not to be in The National Archives?

Answer. It is proposed to place the Roosevelt archives and collections in charge of The National Archives Administration (a) in order that they may have expert care, handling, and classification from the day they leave the White House; (b) provide for access by competent historical students; (c) because The National Archives Administration is the most competent body in the country to handle the collection and the problems connected with them.

Question. Didn't former ex-Presidents take care of their own collections and papers?

Answer. Those who have cared for them with a proper sense of their obligation to posterity have found it a great burden. Mr. Hoover has been the only President with the means to give his collection proper care. He had but one term; Mr. Roosevelt will have had two. In Mr. Hoover's term about 600 pieces of mail came into the White House daily; the daily average has now risen to 6,000. The Rutherford B. Hayes Memorial Library at Fremont, Ohio, contains the equivalent to about 120,000 pages of typewriter paper.

There are already in the F. D. Roosevelt files at the White House between 5,000,000 and 6,000,000 pages. In other words, the task of caring for a President's papers has now grown too big for any family to handle.

Question. Are there any other advantages to this plan?

Answer. The library and museum building will be erected by private subscription; Congress will only be asked to provide for maintenance as part of the National Archives Administration.

Respectfully submitted.

SAMUEL ELIOT MORISON.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I yield to the gentleman from New York.

Mr. WADSWORTH. That document is signed by Mr. Morison?

Mr. KELLER. Certainly it is. It will be found on pages 23, 24, and 25 of the hearings.

Mr. WADSWORTH. The hearings before what committee?

Mr. KELLER. Before the House Committee on the Library.

Mr. WADSWORTH. Did Mr. Morison say anything about the Taft papers?

Mr. KELLER. We will find that here in another place.

Mr. WADSWORTH. Mr. Morison has already published in some newspaper the fact that the Taft papers have not been cared for. As a matter of fact, they are in the Congressional Library.

Mr. KELLER. We are going to find out about that.

Mr. WADSWORTH. The gentleman said he would say something about the Coolidge papers.

Mr. KELLER. Yes; I did. And I will.

Mr. WADSWORTH. The Coolidge papers are in the Congressional Library.

Mr. KELLER. Yes. That is true.

Mr. WADSWORTH. They are open to inspection by anyone who wants to see them, with the permission of Mrs. Coolidge.

Mr. KELLER. Yes; with the permission of Mrs. Coolidge, but not otherwise. In other words, they are there as a deposit, not as a gift at all.

Mr. WADSWORTH. The gentleman has no doubt that they will remain in the Congressional Library?

Mr. KELLER. There is no certainty at all that they will remain there.

Mr. WADSWORTH. I just wanted to see that the history was complete, because neither the Taft nor the Coolidge papers are mentioned in this document.

Mr. KELLER. I am not through yet. That was simply to answer the question that had been asked generally.

Mr. HOFFMAN. Mr. Chairman, will the gentleman give me a little information on this?

Mr. KELLER. If the gentleman will ask a question, I will be glad to answer it.

Mr. HOFFMAN. Is it proposed to include in this collection the private correspondence that might be of public interest?

Mr. KELLER. Certainly, everything. Let me read about that to the gentleman.

I do not yield any further, because other gentlemen may wish to ask questions for information—

Mr. HOFFMAN. I was asking for information.

Mr. KELLER. When the gentleman asks a question like that, it is not worthy of an answer.

[Here the gavel fell.]

Mr. KELLER. Mr. Chairman, I yield myself 10 additional minutes.

The gentleman from New York [Mr. FISH] made the statement that there is just one thing to consider, and that is whether these Presidential papers shall go into the library as the only place where they ought to go. The gentleman also said that the papers that are in the library have been given to the library. Of course, that is a mistake.

Let me call your attention to the fact that the Government of the United States has paid out for a part of the Washington collection \$45,000. We have paid for a part of the Jefferson collection \$20,000. We paid out for a part of the Madison collection \$55,000. We paid out for a part of the Monroe collection \$20,000, for the Jackson collection \$18,000, and for a small part of the Tyler collection we paid \$1,000. Some payment was made for a part of the Polk

collection, although the amount could not be found when I went to investigate it. What we have of the Johnson papers were bought by the Government for \$7,500, and some of the Chester A. Arthur papers for \$500. The total of this as far as we know at the present time amounts to \$167,000 paid out for only a small part, actually, of the Presidential papers of the United States.

The Lincoln papers are so thoroughly scattered that nobody knows what Lincoln wrote in many regards. There have been many things attributed to him which can neither be confirmed nor denied. One hundred and fifty thousand dollars is being asked for a collection that has been gathered together from all parts of this country over a number of years. I believe a bill was presented last year asking that amount for the known remainder of the Lincolniana.

It seems to me that when the gentleman refers to all these documents being given that is presented without cost, he ought to understand when we have already paid out \$167,000, and when we are asked to pay \$150,000 for some additional part of the Lincoln papers, that he ought not to make a statement like that. It is not true, and it is not only not true, it is entirely wrong.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I yield for a question.

Mr. REES of Kansas. The gentleman has just called attention to the amount of money that has been expended for the papers of former Presidents.

Mr. KELLER. Yes.

Mr. REES of Kansas. I do not find anything in this report about it, and I may not have heard all the discussion, but can the gentleman estimate, approximately, what the expense of taking care of these papers may be to the United States Government? Are there any figures of record or do the hearings give us any information on that question?

Mr. KELLER. The question came up and there was no estimate before the committee that I know of.

Mr. REES of Kansas. I just wanted to know whether there was such an estimate.

Mr. KELLER. However, the question was discussed by members of the committee at different times both in the committee and out of it, as far as that is concerned. I should like to call attention to the fact that there is a provision in the bill that a fee of 25 cents is to be charged for admission to the grounds and to this museum, and so forth, and the proceeds from this fee are expected to cover largely the entire running expense. Also, if the gentleman will read the bill—and it is in the hearings, too, because I printed therein the bill and the incorporation of the nonprofit corporation to take charge of this library, as well as the bylaws of that corporation—you will find that all these facts are printed there. If you want to go into that question carefully, you will find that proper provision is made for receipt of other gifts that may be used for this very purpose. It is the belief of those who have looked into it best that it will pay its own way without making any charge for admission. That it will largely do so I myself have little, if any, doubt.

On the other hand, I call your attention to the fact that the question of cost of upkeep is brought in. With respect to all Presidential papers, whether they are simply deposited with the Government or whether they are owned by the Government through gift or purchase, the time of the employees of the Library of Congress is given to them. It is a part of the business of these employees to attend to the Taft papers, for instance, that can be seen only on permission of the Taft family. The same thing is true of the Coolidge papers. The same cost of personnel applies to the Lincoln papers, which cannot be seen at all until 1947. Nevertheless, we pay for the housing of those papers that do not belong to us. We pay for the cataloging of them. We pay for the protection of them, even when they do not belong to us. Since we are doing that, it is difficult for me to understand why anyone could rightfully object to paying the same character of expense in relation to an entire historic collection such as this is.

The Franklin D. Roosevelt gift to the American people, however, includes not only the Presidential papers but books,

correspondence, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, and other similar material. A library of 15,000 or more volumes of rare books, many of them autographed by the authors and extremely valuable, is a part of this. The official papers, incoming correspondence, copies of replies, the brief memoranda—hand-written bits of only a sentence or two, but important in filling in the gaps in correspondence—stenographic records of telephone conversations, naval pictures, ship's models, and mementos of the Roosevelt era are all included.

This will give a comprehensive and complete history of this important period of history of America.

I want once more to call attention to the fact that a great proportion of the various Presidential papers are not in the Library of Congress.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I yield.

Mr. REES of Kansas. And they will all be somewhere else, and not here in Washington, under the provisions of this bill.

Mr. KELLER. Oh, yes; certainly. I am just answering the contention of the gentleman from New York, and let me call your attention to the fact that only a part of the Washington papers are here, although a more nearly complete collection of his papers than any other are in the Congressional Library. Of the Jefferson papers, we have probably one-third of them. We paid \$20,000 for the part that was supposed to be the public papers, and the others went to the historic societies of Boston, and when they came to look them over they found many of the papers here are private papers, while many of those up at Boston are actually public papers. As to Jackson, there are some groups of Jackson papers all over the United States. Taylor only had a small part here in the Library of Congress.

As to Fillmore, practically none of his papers are here, nearly all being in the Buffalo Historical Society. The Buchanan papers are at Philadelphia. The Hayes Memorial at Fremont, Ohio, has the papers of Mr. Hayes. The Memorial at Marion has the papers of President Harding. I recall that my friend the gentleman from New York [Mr. FISH] said these papers were at Squedunk and Podunk. I am going to report him to the citizens of Marion and Fremont and let him tell them which is Squedunk and which is Podunk.

Mr. Hoover's papers are all, I understand, at Palo Alto, and he has a perfect right to have them there.

The gentleman from New York [Mr. FISH] was just about as correct in his statement that all of these papers had been given to the Library of Congress as he was in nearly everything else he said, and not more so.

I also want to call attention to the fact that under the customs, at least, and under the law so far as we have enacted it, the papers do belong to the President and he has a perfect right to dispose of them to suit himself. But this is an attempt on the part of President Roosevelt to make it a custom in this country to always have the Presidents hereafter keep their papers intact for historic purposes, and that certainly ought to be done. Any man who has indulged in research along this line knows the importance of the statement I am here making. Every man who engages in an investigation of Presidential papers will find out how scattered and broken these collections are, how broken the historic thread is, and how difficult to pick up again. There is no perfect collection of the papers of any single President in the Library of Congress, not a solitary one.

I want to call attention to what my friend the gentleman from Texas [Mr. RAYBURN] referred to. It was my very great pleasure and honor to introduce the bill, to hold hearings on it, and to sponsor through the House the bill that brought into existence the great National Gallery of Art, the gift of a great American. I also wish to call your attention to the fact that not a single, solitary vote was cast against that and not a single, solitary word said against the man who gave that great collection. In doing that he did honor to himself and to his country. I am proud of the fact it was my privilege to do that, just as I am proud today to bring in this new

idea, this very important idea of making available always hereafter to historians of our country the entire papers of every President who shall succeed Mr. Roosevelt. He appreciates as no other President has the great importance of historic continuity through official documents. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 6 minutes to the junior member of the Committee on the Library, the gentleman from New York [Mr. ROCKEFELLER].

Mr. ROCKEFELLER. Mr. Chairman, when I say I do not look with favor upon the proposals contained in this resolution, I do not speak with any personal or political bias, and any words I may utter are not to be interpreted to mean in any sense that I impugn the motives which may have prompted the sponsors of this resolution. As I understand it, generally and briefly, it is proposed to have erected not in the village of Hyde Park, but at some distance from it, at a point to be determined by the President, a building, or perhaps buildings in which are to be housed, preserved, and displayed such historic material as the President may donate.

Title I, section 1, subdivision (b) of the resolution states that the choice of materials shall include books, correspondence, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, and other similar material, covering, I think we will all agree, quite a bit of territory. To properly round out the history of the United States I agree that it may be necessary or at least highly desirable to preserve and make available to those who wish to study them the important letters, papers, and other writings or printed documents of all of our Presidents and some of our high officials, but I do believe, and I believe it very strongly, that the material should be confined wholly to those documents, that have a direct bearing on our governmental affairs, or which will be of historic value now or as time advances. Although this resolution would seem to include them, I do not put in my category promiscuous works of art, models, pictures, photographs, maps, plats, and other miscellaneous subjects. I am firmly convinced that the cost of collecting, housing, and preserving and displaying unrelated exhibits of that nature would far exceed their true value, to either present or future generations. That value to my mind is not determined solely by the preservation and display of exhibits of that nature. I think the real test of their value is in the fact that they can and will be made easily accessible and available to those who care to inspect and examine them.

I am somewhat familiar with the country in the neighborhood of Hyde Park, perhaps more so than most of you. That estate is situated on the Hudson River, approximately 75 miles from the city of New York and about the same distance from Albany. Of course if one owns his own conveyance, he may come and go as he pleases and upon his own time, but if not, he will be compelled to avail himself of such autobus service or railroad service as is available. It is true that autobuses pass the entrance to the President's estate, but that service is very infrequent, and it may not be possible to induce the bus driver to deposit a passenger at any other place than the entrance to that estate, on the highway, in which case it would then be necessary for one to cover the rest of the journey on foot. Moreover, that meager bus service is very likely to be reduced within the near future for the reason that there is now under construction and will soon be completed another and better highway which is much farther from the present road and from the President's estate, and it is very likely that these buses will be rerouted as soon as the road is completed, over that better road.

As to railroad facilities, there is a station called Hyde Park, which is at least a mile or two from the entrance to the President's estate. Today the train service is very infrequent to that station. In fact, the timetable under which trains are operated shows that between 9 o'clock and 5 o'clock in the afternoon but one train out of New York City is scheduled to stop at that station on week days, with the exception of Saturday, when an extra train stops at 3:16 in the afternoon. That same timetable shows also that between those hours but one train out of Albany is scheduled

to stop at this station on week days. Anyone alighting from a train at that station would find it exceedingly difficult, if not quite impossible, to find a conveyance which would carry him over the rest of the trip, and it would, therefore, be necessary for him to cover that distance on foot.

The place nearest the President's estate where a traveler may procure food and lodging is in the comparatively small and unincorporated hamlet of Hyde Park, which is from 1 to 2 miles distant. I have passed through that hamlet many times, and to all appearances only those living accommodations are provided that will suffice the needs of those who reside in or near there. Travelers in any number would find it difficult to procure suitable meals and overnight accommodations.

Although one can at best but hazard a guess as to the number who may visit the buildings or of whom that number will be comprised, it is very likely that in the end visitors will not run into large numbers and will comprise very largely, if not wholly, students and writers of history and those engaged in research work of such a nature as to make inspection and examinations of the exhibits necessary. The inconvenience and expense of these visits may make it impossible for those people to avail themselves of such advantages as the library and museum may offer, therefore the principal purpose which might justify such an undertaking would be defeated.

Should the precedent be established, as this resolution will do, of permitting the important papers and writings of our Presidents to be housed and preserved at or near their homes, such a precedent would be highly undesirable and impractical. Under such a plan it would be necessary for those who may wish to examine and study the documents to travel from the Atlantic to the Pacific and to visit many intermediate places. The necessary expenses of those trips would undoubtedly be more than the average traveler could bear.

Today most of the important writings of many of our Presidents are housed, preserved, and made available for inspection and examination in the Library of Congress in the city of Washington. To that Library anyone interested may now go, without the payment of an admission fee, and examine those writings under most favorable conditions and with courteous and efficient service. That custom, in my judgment, should be continued, and any departure from it would be to the detriment of the work of those who are interested and would reduce materially the real value of those records. From a reading of the bill it might be inferred that the revenues from admission fees and other sources will be sufficient to pay all the expenses necessary to the maintenance of the museum, and that therefore the Federal Government will not be required to contribute any money toward its upkeep. My experiences with undertakings of this nature cause me to doubt very seriously that any such happy condition will obtain. I cannot dispel from my mind the thought that such an undertaking as is proposed by this resolution will, when all is said and done, require substantial appropriations out of the Federal Treasury. In these days of mounting deficits and debts it would be not only unwise but highly improper to impose this added burden upon the taxpayers. I doubt very seriously the propriety of adopting this resolution or of accepting the offers made thereunder, especially at this time.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TREADWAY. Mr. Chairman, I yield 8 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, in today's issue of the Washington Daily News there appears a short editorial under the caption "Small Fry Politics," of which I shall read the first paragraph:

Certain Republican Members of Congress, led by Representative "HAM" FISH, of New York, are engaged in an almost incredibly petty attempt to defeat the bill to establish a Franklin Roosevelt Library at Hyde Park.

That political issue has been drawn in a number of the addresses that have been made on the floor, and I shall ad-

dress myself to it very briefly. When this bill was on the floor the first time, I voted against it. I found no great comfort in that vote, largely because it is so easy to misconstrue and interpret a vote like that on the ground that it has been inspired by narrow partisan politics.

I would support the bill that is before the House today if it told the whole story, but I am afraid that the issue has been confused, and that the issue of politics, if there be one, is one of those self-generated things over which we have no control and with which we on this side of the aisle have exactly nothing to do. All we have to do is to go back and examine the whole story.

It was in March of 1938 that the newspapers announced that a syndicate had purchased the Presidential papers and that they were to be put on the market at \$15.

There followed a swelling crescendo of criticism. It came from all sections of the country. We had nothing to do with it. We did not offer the papers to the public. We did not edit the versatile newspapers in the country that took exception to the propriety of the thing. After some 3 or 4 weeks there came from the White House a proposal to the effect that none of the royalties should enhance the fortunes of the present incumbent of the White House and that they were going to be devoted, and I use contemporary language, "to a worthy public purpose." On the heels of that statement came the proposal to establish a library at Hyde Park.

Now the bill is before us again to effectuate that purpose, to give the United States of America and the people thereof a remaining interest, subject to a life estate, in 12 acres until such time as it shall become complete. The costs are to be met by appropriations out of the Federal Treasury. There is no hint of royalties there. It is to be maintained by the Park Service, or the Commissioner of Buildings, under the Reorganization Act.

There is no hint of the expenditure of royalties there. There is a provision in the bill to charge a museum or exhibit fee that would rebut almost any contention that royalties are to be used. The construction is to be undertaken by a corporation in New York, ostensibly by private donations and otherwise, to take care of the building. There is no hint in the bill under the authority of the trustees that, in the bequests or gifts which they are to administer, any royalties are to be expended.

So what about the "worthy public purpose" of which the public in this country was given assurance, when there was a great tide of criticism because of the doubtful propriety of the incumbent of the White House selling these papers to a syndicate to be sold everywhere in the United States of America? We did not make the issue. Now, it would appear that some people are going to ask us to resolve it as a political issue, and I will say to you frankly that I am ready to do so unless they put something in the bill to require the assurance that was given by somebody at the other end of the Avenue in March of last year, when this whole project was inspired to lift the curse of criticism.

Now, here is a significant thing. They talk about politics. First of all, a committee of 60, a so-called ways and means committee, was organized in order to provide the money for construction. Who is the chairman of that committee? Mr. Frank Walker, and it is so stated in the report that goes with this bill. The language on page 3 of the report is:

There was organized under the chairmanship of Hon. Frank C. Walker a group of businessmen and other public-spirited citizens to help in raising funds for the construction of a library building at private rather than at public expense.

An examination of the reported activities of that committee is very interesting.

Let us see what happened out in the State of Colorado. I am quoting from a news dispatch from the Denver Post of July 4, 1939. The committee assigned a quota of \$2,000 to the State of Colorado as its share toward the construction of a building at Hyde Park. The job was entrusted to Mr. Thomas Duke, who is district administrator of the Bituminous Coal Act in Denver. Mr. Duke ostensibly is going to address himself to the job, and—

It is understood that all officeholders under the New Deal will be invited to contribute.

I am quoting from the dispatch.

Political? Partisan? Did we raise it? Are we using the Democratic national committeemen in order to raise the money? What would be the answer from that side with respect to that statement?

Another State, the State of Montana, has been given a quota, I understand, of \$2,000 to raise. I quote from this dispatch:

Mr. O. S. Worden, of Great Falls, Mont., who represents Walker's own State on the Democratic national committee, is reported to have threatened to resign when the \$2,000 assessment was levied on Montana for the Roosevelt Library.

Now, Mr. Worden's own remarks, in quotations:

"This is the last straw," he was quoted by friends here as declaring. "It is bad enough to meet repeated demands for the Democratic National Committee, but when it comes to soliciting money for the Roosevelt Memorial I am ready to quit."

But when they undertake to fasten upon us the allegation that we are playing politics, I wonder what answer can be made to the fact that two Democratic national committeemen are here quoted as saying that their States received quotas that must be raised and that they are getting tired of being used for that kind of purpose?

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 2 additional minutes to the gentleman from Illinois.

Mr. DIRKSEN. Now we are called upon to appropriate out of the Federal Treasury under this bill for the costs incurred by the Archivist. We are called upon to appropriate out of the Federal Treasury for the expenses of the Board of Trustees. We are called upon to appropriate out of the Federal Treasury for the clerical help to the Board of Trustees. We are called upon to appropriate from the Federal Treasury, the people's money, for the maintenance, the care, and the upkeep of this memorial. It involves an overall expenditure of \$300,000 of public funds annually.

I have no objection. I am ready to vote for it, I will say to my friend the majority leader—I will give him a vote this afternoon if he will write into this bill a provision which carries out the solemn assurance that went out from the White House early in 1938 that the royalties from the sale of the President's papers will be devoted to a worthy public purpose which is now effectuated in the terms of the bill. I say to any of them that if they will write that into the bill and keep faith with the American people, I will give them a vote. [Applause.]

My attitude is not inspired by dislike or ill will. I entertain nothing but the kindest feeling toward the President. However, since the partisan issue was injected into the debate and it was made to appear that the attitude of the Republicans was predicated upon political bias and blind partisanship, it was only fair and proper to relate the whole story and show how this proposal came about and what assurance was given the country with respect to its operation and maintenance.

Mr. TREADWAY. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I think no one since I have been here in the House has ever heard me say an unkind word against President Roosevelt. I may disagree with some of his policies, but when it comes to a matter of preserving his papers for future generations, that is a different question. I join the gentleman from Illinois, who just preceded me, in saying that if this bill can be changed so that this building will be built here in the city of Washington where the people of the United States will get the benefit of it, then I will vote for the bill. This may be selfish on my part, but I feel that the place for this building is here in Washington where people who come by the thousands each year will have the opportunity of viewing these books and papers, and seeing what the present President of the United States has said and done. They cannot do this in Hyde Park.

It may be selfishness on the part of the President to want it in Hyde Park, but if he does, then he should erect a building of his own there and put his papers in it, let people pay for the privilege of getting in and seeing them and

reading them. If, however, we are going to expend the money of the United States Government for the erection of this building and its maintenance, the place for that building is here in Washington where it will do the people of the country some good. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Wisconsin yields back 1 minute.

Mr. TREADWAY. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, I wish to direct my remarks to the language on the bottom of page 7 of the bill, which reads:

Provided, That the Archivist is authorized to charge and collect, under regulations prescribed by him, a fee not in excess of 25 cents per person for the privilege of visiting and viewing the exhibit rooms or museum portion of the said library.

Mr. Chairman, some few days ago I introduced in the House a resolution calling for the investigation of a new program which has been instituted by the Secretary of the Interior under which they are now beginning to charge entrance fees to public buildings and exhibits which have heretofore been open to the public without charge, and been visited by tens of thousands of people. It seems to me it approaches the stage of disgrace for us in this day and age to extract from high school boys and girls who come to Washington from our various school districts, dimes, and quarters, and 50-cent pieces in order to see these great national shrines. I can hardly comprehend that in this day and age when we vote money so recklessly we would permit the imposition on the traveling public of such charges in this manner and as set forth in this bill. I hope before the bill is voted upon that the 25-cent charge provided for in the language I have quoted will be stricken out; and that when we read the bill under the 5-minute rule the Committee will also eliminate all of section 303, which provides for an additional 25 cents per person for the privilege of visiting and viewing the property. This 50-cent charge is unreasonable and should never be imposed upon our visiting and traveling public.

I also trust that in the days to come we can prevail upon the Secretary of the Interior to remove the 10- and 25-cent charge which I understand has been imposed as an entrance fee to some of the shrines in Washington. The American public is a traveling public; and when a father and mother scrape enough funds together to bring their family 500 or more miles to see these things, they dislike to be informed upon their arrival that the family cannot see them without having to pay \$1.50, or \$2 for the crowd.

I shall not support the pending bill for numerous reasons unnecessary for me to state at this time. The place for the library is here in Washington where the earnest students of our country come for the purpose of consulting State records. I have not heard of hotel facilities or medium-priced eating places or living facilities near the Hyde Park home and project so that a student could go and remain there for research. Even though the student did go there he would not have available to him all the collateral records and documents he would find in Washington. So, from the purely economic standpoint I would not support this bill or a similar bill for any President, be he Republican, Democrat, or of some other political complexion. The place for these records is here in Washington. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the former distinguished chairman of the Committee on the Library, the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Chairman, in the course of my service here I cannot recall an address meant to accomplish an end that was so adequate, thorough, and complete in presenting the reasons why that end should not be accomplished as the remarks of the gentleman from Texas [Mr. RAYBURN], a man whom we greatly esteem and admire. This time, however, he laid before the Committee the overpowering reason why this bill should not pass. This reason is to be found in his

address from first to last. His argument was one of personality.

Personality is exactly the reason, and the overpowering reason for the precedent and the practice of society in not commemorating a man while he is living. The gentleman from Texas laid before the House a list of the Presidents and extolled all of them. I will join with him in his praise of the Presidents; but he neglected to tell the House that of the 30 Presidents we have had, not one of them, so far as I know, ever hinted any wish for commemoration while he was alive. Thirty Presidents, with the same pride in their work, the same satisfaction in their achievements, the same belief that they were useful to their fellow men, have not sought to be commemorated while they were alive. These Presidents, one after the other, have left records of service and achievement which of themselves warrant their praise. These Presidents have had enemies, as any President would have. These Presidents have adhered to ideals that have aroused wide controversy, yet none of them have sought to inject that controversy into a question of commemoration while living.

We do not know what the future may say about our great men until years have passed, until we get a perspective, until we can make comparisons; so very wisely men from time immemorial have refrained from this practice of commemoration during life. I venture to say that no man in this Chamber, either on the Democratic side or on the Republican side, will begrudge due honor to the present President of the United States after he has finished his term on this globe. It is not impossible and it is to be hoped that no Republican here approaches the question with any intent of aspersion on the President now. I do say that the paramount question is, Should there be commemoration during life?

There are other questions. There is the fact that this program contemplates the least use of the papers. It is made difficult and costly to have access to them and it deviates from what is the desire of the Congress that all the records of all our Presidents shall be easily accessible to students.

Mr. KELLER. Will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Illinois.

Mr. KELLER. In what year did Washington die, does the gentleman remember?

Mr. LUCE. In 1799, I think.

Mr. KELLER. When did the Commonwealth of Virginia erect the Washington statue in Virginia?

Mr. LUCE. I was not present on that occasion.

Mr. KELLER. It does a terrible thing to the gentleman's comment, because that was done in 1784. Many other monuments were built to Washington while he was still alive.

Mr. LUCE. Was any monument to him erected by appropriation or legislation by the Congress while he was alive?

Mr. KELLER. The question involved in the gentleman's argument, and in the argument of several other gentlemen, is that no monuments have ever been built by acts of Congress to men while they were living. I have called his attention to the fact that the State of Virginia erected a memorial to George Washington in 1784, 15 years before Washington's death. The answer to the contention concerning acts of Congress is contained in the erection of the bust of Theodore Roosevelt by legislative act. In 1886 a resolution passed the Senate providing for the placing of busts of the Vice Presidents in the vacant niches of the Senate Chamber from time to time. Most of those busts were placed while the Vice Presidents were still living. Incidentally, may I say we ought to have learned enough by now to paint the portraits of our Speakers while in office, which we have not done until recently.

Mr. DONDERO. Will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Michigan.

Mr. DONDERO. Did Washington ask the Congress of the United States that his statue be erected in Virginia?

Mr. LUCE. The gentleman from Illinois can answer that question.

Mr. KELLER. I did not hear it.

Mr. DONDERO. Did Washington or any other President ever ask the Congress to appropriate money to erect a statue?

Mr. KELLER. This is not a monument in that sense. The gentleman from Massachusetts, as well informed as he is, did not know that Washington had a number of monuments built to him while he was still living. These gentlemen are falling under the illusion, very widely spread in this country, that monuments and memorials are erected only to men after they are dead. There are so many exceptions to this idea that it is no longer accepted as the rule.

But the Franklin D. Roosevelt Library is not a memorial to Mr. Roosevelt. It is a depository for the great gift that he is making to the American people, just as the fine gallery of art is not a memorial to Mr. Mellon, but a depository to his great gift to the American people. One is giving of the wealth of his intense public life, and the other of his great wealth. The whole question seems to be a criticism of recognizing a man until he is dead and gone.

Mr. DONDERO. Were any monuments built at the request of the Presidents themselves?

Mr. KELLER. I do not know that Washington asked the Congress to "Please erect a monument." But Washington did sit, over a long period of time for the great sculptor, Houdon, and did entertain him at Mount Vernon while the mask was being modeled. Washington was certainly a willing partner to the making of that statute, and rightly so.

Mr. DONDERO. Did any President request a monument to be erected on his private estate?

Mr. KELLER. They did erect this Houdon statue down in Richmond.

Mr. WOODRUFF of Michigan. Will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. The gentleman from Illinois has mentioned the fact that busts have been made of the Vice Presidents. I am quite sure the gentleman from Illinois will not make the statement that the Senate took the action necessary to bring about the making of those busts at the express desire or wish of the Vice President himself.

Mr. KELLER. Maybe not; but in 1886 there was a resolution passed by the Senate for that purpose.

Mr. WOODRUFF of Michigan. While the gentleman is on that question, may I suggest to him that he show the House or the committee just where and when the Vice President involved requested that action?

Mr. KELLER. The Senate of the United States did it.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. LUCE. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Would the gentleman be willing to vote for a bill that would create a bust of the President and put it up here?

Mr. LUCE. Does the gentleman from Illinois desire to answer the question?

Mr. KELLER. I would like to have the question again.

Mr. ROBSION of Kentucky. I inquired of the distinguished gentleman from Massachusetts whether he would be willing to now vote for an appropriation to provide a bust of the President and put it up here in the Capitol.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 4 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, in my opinion we are giving consideration this afternoon to a proposition that is unprecedented and at this time unnecessary. It is the first time in the history of this country that a President, while living and holding office, has requested the Congress of the United States to appropriate money from the Treasury to provide, as I see it, a memorial on his behalf.

I appreciate what the majority floor leader had to say on behalf of our President, and am not here to take issue with the distinguished gentleman. I regret that the floor leader of the House has seen fit to decide for us how this measure is going to be passed and that it will be agreed to along party lines. I am interested, however, in the attention which is being paid to this measure. To the left of me I think there are probably more than half of the Republican Members

on the floor, and to the right I think I can count about 20 or 22 Members; yet when the roll is called in an hour from now the Democratic Members to my right will file down and cast their votes in favor of this measure.

It just seems to me that in all fairness, if the distinguished President of the United States who is now in office—and according to reports we have, he does not expect to retire for some time—wants to make sure that Congress will provide a memorial to him—someone has said it was not a memorial, but that is what it is—to be located in the State of New York, if he really wants to be magnanimous in a matter of this kind, he should be glad to turn over whatever there may be among his papers that are of importance to this Government of ours and let them be placed in the Library of Congress or The Archives Building, so recently completed at a cost of millions of dollars.

Strange as it may seem, the bill provides that the man in charge of the archives is the one who is to look after this collection of correspondence away over here in the State of New York. This is a precedent, of course, but we have had a good many precedents during this administration. This is an additional one—and that may not be so important. But it just seems to me that it is a pretty poor time to ask this Congress to agree to underwrite, if you please, a statement that it will provide whatever funds may be required to establish this great memorial and then keep it going from now to time immemorial. We have not been given any estimate as to the expense of it.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. Perhaps the Congressional Library wants only public papers. Perhaps they would not want to house his models and his paper dolls.

Mr. REES of Kansas. I assume those in charge of the Library could certainly agree with those in charge of The Archives as to what papers would really be of interest to the people of the country.

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 2 additional minutes to the gentleman from Kansas.

Mr. REES of Kansas. I do appreciate the fine speeches which have been made on behalf of this legislation in the name of loyalty to a great man. But let us get down to some of the facts in the case. This is the first time, so far as I can find out, that Congress has ever been asked to appropriate money to provide a shrine or memorial in the name of a President—to be established outside the city of Washington. If these papers and documents that have been described are valuable—and I will concede that many of them are valuable—then why not house them, at very little additional expense to the Government, in the buildings here in Washington? In the Library of Congress, if you please, where documents of other Presidents are housed and where the great Constitution and the Declaration of Independence are preserved and displayed. At the expense of millions of dollars, our Government has provided these buildings right here in the Capital City for the purpose, among other things, of housing documents of this nature. Here they are accessible to students and others who care to examine them.

Under this bill it is proposed that the President shall give 12 acres of ground in an inaccessible place in the State of New York, where the Government or somebody is to provide a building and guarantee the maintenance of such building until time immemorial. Except, and provided, however, that a fee of 25 cents is to be charged those who may want to go down to Hyde Park, N. Y., to examine these papers.

And so this afternoon it seems to me unreasonable and inconsistent that this Congress—even before the present term of the President has expired—should agree to take on an obligation of hundreds of thousands of dollars to establish a memorial in the name of our President. I have called attention to the fact that there is no limitation in this bill as to what it will cost or how much will be required to maintain it. An amendment will be offered to limit the maintenance expense to \$12,000 per year. That is \$1,000 per month. I predict

that this House will vote that amendment down by a big majority.

Members of Congress, this is a critical time in our economic history. The taxpayers of our country are being plunged deeper and deeper into debt. Thousands and millions of our people do not have even the necessities of life. We are not justified in underwriting an obligation that will cost these taxpayers some hundreds of thousands of dollars when, in my judgment, it is absolutely uncalled for and unnecessary.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Nebraska.

Mr. CURTIS. Was it not Cato who said, "I would rather have coming generations ask, 'Why is there not a monument to Cato?' than 'Why is there one?'"

Mr. REES of Kansas. Something has been said about being loyal to the President of the United States. We all want to be loyal to the President, but I do not believe this is a question of loyalty at all. It is a question of whether or not the United States Government is going to start out here, while the President is in office, and agree to spend some hundreds of thousands of dollars in the State of New York to perpetuate the name of the President and establish a memorial for him in place of putting it in the Capital City, where folks can view it if they really care anything about it.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Does the gentleman believe there is any danger of anyone's ever forgetting Roosevelt?

Mr. REES of Kansas. The gentleman can answer his own question. I am saying that this is a pretty poor time to ask the taxpayers of this country to provide funds for a memorial of this kind. If the President really wants this library, if he is so generous in this matter, why does he not go ahead and establish his shrine himself, and establish it right here in the city of Washington, where we can all have a chance to get the benefit of this great collection?

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. Why can we not establish it where a self-respecting Republican can go?

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. I am very much interested in the gentleman's description of having a lot of men hired to look over these papers and keep them intact in years to come. I wonder if anybody has taken the precaution to have somebody look over the papers and see if they can find any of real worth there?

Mr. REES of Kansas. I would not care to answer that question. Let me say again, let these papers be housed in Government buildings in this great Capital City of Washington, so they may be easily accessible to the public, free of charge. If the President is anxious that the documents be preserved for the benefit of those who are to come after him, then let them be placed in the repositories that have already been established for that purpose.

Mr. TREADWAY. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, it is a rather unpleasant task any Republican has to perform here today in opposing this proposition, because we realize in advance that we will be charged with playing petty politics. For inexplicable reasons certain newspapers will heap opprobrium upon our heads. Because of our traditional and our inherent or innate respect for the Presidency of the United States, any American citizen is loath or reluctant to criticize any occupant of the White House, whoever he may happen to be. This particular measure, however, is a most unusual and extraordinary one, violating all customs, traditions, and precedents of days gone by. That is, perhaps, because the present occupant of the White House will go down in history if for nothing else as the great precedent-breaker. That is

the reason he has been campaigning for a third term ever since his inauguration for a first term.

Now we find an occupant of the White House not only in his lifetime but even before he has finished his term of office sanctioning if not asking the Congress of the United States to build a memorial to his memory. Mr. Chairman, I do not believe in building memorials to live men, neither does any other Member of this body honestly believe in it. The only argument that has been advanced here today for the passage of this measure has been an appeal to partisan prejudice. Why the President is eager to build a memorial to himself before he goes out of office I cannot understand, unless he has been suddenly seized with an inner conviction or his intuition tells him that he is soon to experience a political demise.

I am sure that the great men of the past—even Homer through Aristides and Aeschylus and others of the ancient Greeks—were never concerned as to whether or not their writings would be saved for posterity. I am sure that Horace and Ovid and Cicero were never anxious to have a memorial erected to house their writings before they died. I cannot believe that Dante and Rousseau and Voltaire were greatly worried as to what the future might brand them. Not even immortal Shakespeare or Milton or Wordsworth would have the unmitigated gall and brazen effrontery to ask that a monument be erected to them to house their precious pearls of wisdom before their death.

I remember that the greatest teacher of all time, a lowly carpenter from Nazareth, never left any libraries. He never wrote but once, with his finger in the sand, but His philosophy has not been lost and His teachings have not been forgotten. Mr. Chairman, that which is worth remembering never dies. But, of course, the Great Teacher possessed the mark of all true greatness—namely, humility and modesty. Mr. Roosevelt might be charged with many high crimes and misdemeanors, but there is certainly one charge that neither friend nor foe can ever launch against him, and that is that he possesses either modesty or humility.

Why the President of the United States insists on having his voluminous writings housed at his country estate in Hyde Park, far removed from the National Capital, will baffle the imagination of any fair-minded and honest man. Is he afraid to have his precious, immortal documents housed in the Library of Congress, where the Constitution of the United States and the Declaration of Independence are framed and enshrined? Is he fearful that by placing his writings in either the Congressional Library or The Archives Building down on Constitution Avenue that they might be polluted or contaminated by the Farewell Address of the Father of our Country, by the Gettysburg Address of Abraham Lincoln, and by the immortal writings of Thomas Jefferson, or are these writings of the President which he sold a year and a half ago for huge sums, reputedly receiving \$100,000 or \$150,000—and remember they were press conferences as well as addresses, which he had forbidden newspapermen to report, yet he sold not only his own property, but their property, their questions as well as his answers for a colossal, stupendous sum which his secretary, Stephen Early, said would some day be handed over to a great public cause, but there is not one line or one word in this joint resolution turning over any of the money received by Mr. Roosevelt for the five large volumes that were published and on which he received enormous royalties—are these writings of Mr. Roosevelt so far superior to all others that they deserve a place all their own? This library he insists be erected on his own home estate, and any improvement to that estate or increase in value to it caused by the construction of a building or buildings on 12 acres, more or less—that is how definite and certain and clear it is—erected by the public's money and maintained and kept by the taxpayers' funds out of the United States Treasury, shall not be subject to taxation during the existence of any life estate reserved in the property. The President, after insisting that the library be on his own estate, erected by public funds, maintained out of the Federal Treasury, is going to charge the poor, forgotten man in this country "two bits" to enter

the grounds and then "two bits" more to get into the museum where the library is housed. [Laughter.]

Oh, this friend of the "forgotten man"! You know, this Roosevelt family is a most unusual family. They are lovers of the downtrodden and the underprivileged, but they are always sure that none of the kids marry any of that kind. [Laughter.]

I submit, in all fairness, that there has never been such a public display of colossal conceit or such an unblushing parade of swashbuckling egotism as is contained in this measure. Only an egocentric megalomaniac would have the nerve to ask for such a measure, and yet it is going to be crammed down our throats this afternoon by an appeal to blind partisan prejudice. Only posterity and only time can properly evaluate the greatness of any man. I have no objection whatever to Mr. Roosevelt's papers being conserved. Certainly I do not want his campaign speeches of 1932 destroyed. They are his best utterances. I do not know who wrote them.

The gentleman from Illinois [Mr. KELLER] says, "Well, the United States Government is going to vote funds to keep up the new National Gallery of Art." I want to say there is no analogy or parallel whatever between the National Gallery of Art and this proposed public library to be established at Hyde Park. Why? Because the National Gallery was given outright by a former Secretary of the Treasury who was so modest that he did not want it even named after him. It is not the Mellon Gallery of Art; it is the National Gallery of Art; and he donated an art collection worth anywhere from \$40,000,000 to \$50,000,000, and he left \$10,000,000 more to erect the building, and, I understand, a certain sum to be used as an endowment for future acquisitions, and it is being built after he is dead and gone.

Mr. Roosevelt will not have to worry about having a monument erected to his memory. The monumental public debt that is heaped upon the backs of the American taxpayers, through this orgy of New Deal spending, will painfully remind generations to come of Franklin I, and, God let us hope, the last. [Laughter.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SHORT. In all seriousness, even if you favor the construction of this public library at Hyde Park, instead of placing Mr. Roosevelt's writings along with our other great statesmen—and you see I am generous enough to include him with them—in the Library of Congress and The Archives Building, I believe that no man here today will insist that this is a vitally urgent and necessary thing at this particular moment.

However desirable the proposition may be, it is not indispensable at this critical period in our history, when the American taxpayers are staggering under an unbearable burden of public debt. I pause to remind you gentlemen that in the past 6 years under the unprecedented New Deal spending, our public debt has been doubled. It is \$45,000,000,000 today, and the interest on that debt is over a billion dollars a year—17 cents out of every Federal tax dollar going to pay the interest on the public debt. Forty-five billion dollars is a sum that is incomprehensible and it staggers the imagination. If we started paying \$500,000,000 a year on our national debt, it would take 5 generations, or 90 years, to pay off that debt. If we started paying off \$500,000,000 of our national debt every year, it would take 3 generations, or 60 years, to reduce the debt to the point where it was when Mr. Roosevelt took over the reins of Government. With this crushing debt to carry, with 12,000,000 men out of work, with labor strife everywhere, we have wasted a whole day debating the proposal to erect a shrine to the man who is responsible for these deplorable conditions. And how in the name of God, Representatives of the American people, Democrats and Republicans alike, can give their stamp of approval to such an unprecedented and unnecessary proposal as this, which violates all tradition and history, to satisfy the inordinate vanity of one individual, I leave for future generations to determine. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. KELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. COFFEE].

Mr. COFFEE of Washington. Mr. Chairman, we all like the able, distinguished, and very eloquent gentleman from Missouri [Mr. SHORT]. The gentleman from Missouri is humorous. Sometimes he tells stories designed to be witty and if we cannot laugh at the joke of the age, we can often laugh at the age of the joke. The type of story in which the gentleman usually indulges is calculated to arouse all of us to laughter and appeal to our risibilities, but the eloquence to which he has given expression this afternoon is a disgrace to the House of Representatives. His attack upon one of the great men that American history has produced is decidedly disgraceful and out of place. It comes with poor taste from the gentleman of Missouri. Whatever faults may be charged to the President of the United States, no one can properly attribute to him the foibles and peccadilloes of his own children, if there be such. The charge that the children of the President have married into the families of the wealthy and not into the families of the common people of the United States, whether true or false, and certainly the blame, if there be any blame, should not be laid at the feet of the President of the United States.

Mr. SIROVICH. Mr. Chairman, will the gentleman yield to me right there?

Mr. COFFEE of Washington. Yes.

Mr. SIROVICH. I call the attention of the gentleman to one irresponsible statement made by the previous speaker to this effect: A month ago while I was sick I was visited by Elliott Roosevelt, one of the sons of the President. He told me that when the President was elected he, Elliott, had no position. The President refused to allow him to use his name even to secure a position. Elliott then, with only \$40 or \$50 in his possession, rode with his wife in an automobile to Los Angeles and there secured a position with Mr. William Randolph Hearst. He did that through his own indefatigable ability. He was to write in the Hearst newspapers on the subject of aviation. Although the son of the President of the United States, he relied upon his own individual efforts to secure work, which would give him an opportunity to rise on the ladder of fame and fortune. He did not marry a great heiress, as the previous speaker intimated. It is a great regret to me, Mr. Chairman, that gentlemen in discussing the advisability of taking over the President's papers and bequeathing them to posterity, should attack the children of the President of the United States.

Mr. COFFEE of Washington. Mr. Chairman, I re-echo the able statements made by the majority leader of the House of Representatives. When this House stoops to the disgraceful level of resorting to personalities and abuse of the President of the United States as the basis for an argument justifying their vote against a bill which 90 percent of all the Republican newspapers in the United States have endorsed, it seems to me they have reached the extreme nadir of partisanship in the Congress of the United States. Whatever faults may be attributed to Mr. Roosevelt, history will regard him as one of the great humanitarian Presidents of this generation. I think of Roosevelt as a man who may be likened unto Abraham Lincoln who said:

Die when I may—I want it said of me by those who knew me best that I always plucked a thistle and planted a flower, where I thought a flower would grow.

Edward Markham spoke in poetry of Abraham Lincoln, and he said of him that he was a man "who matched the mountains and compelled the stars to turn aside to conquer him." All of the diabolical, vindictive jeremiads in which the Republicans have indulged during this debate will rise to haunt the President's next adversary in the campaign of 1940. All the vindictive attacks made upon the President of the United States will not justify one single modicum or one iota of the attack made on this bill.

This is an opportunity for the Congress of the United States to acquire the writings of a great President, a President whom

history will record as one of the four outstanding Presidents of the United States. Yes, we can indulge in our would-be humorous, feebly witty attacks upon a man whose shoes, in some cases, we are not even fit to shine. It seems to me that this performance today is something that ought to make the common people of America rise up and denounce in their wrath the kind of attacks that are being made upon the Presidents of the United States. Let us rise above personalities in this critical period of American history. Let us pass the bill and go on to other things. Let us do something for the plain people of America whose sufferings are crying out in their righteousness in every part of the land. Let us rise above the level of the low degrees to which this Congress has descended. I am ashamed of my colleagues. [Applause.]

[Here the gavel fell.]

Mr. KELLER. Mr. Chairman, I yield to the gentleman from Colorado [Mr. LEWIS] such time as he may desire.

Mr. LEWIS of Colorado. Mr. Chairman, I think the answer to many of the arguments—I say “arguments”—against this bill is completely summarized in an editorial which appeared in the New York Times of June 7, 1939, and with your indulgence I shall read from it. The editorial is entitled “Frisivolous Objections.” It reads as follows:

[From the New York Times of June 7, 1939]

FRIVOLOUS OBJECTIONS

Last December, Mr. Roosevelt announced his intention of setting up at Hyde Park, “for the first time in this country, what might be called a source-material collection relating to a specific period in our history.” It would include all his papers and correspondence from 1910, besides books, paintings, portraits. The collection was to be housed in a building built by private subscription. The property was to go ultimately to the Federal Government. Mr. Roosevelt also wished that the family house at Hyde Park and the greater part of his estate there should be taken over by Congress after his death. It is hard to see any high motive in the almost unanimous opposition of the House Republicans to the bill to carry out the President's purposes.

Some grounds of objection were patently frivolous. Why not stow the collections in The Archives Building? It is true that Mr. Roosevelt wanted the primary responsibility for the care of his material to rest in the Archivist of the United States; but The National Archives of the United States collects only records from Government agencies. With historical manuscripts of other kinds it has nothing to do. Representative FISH said that the measure would be a precedent, so that papers of future Presidents “would be scattered all around the country.” Well, the papers of past Presidents are scattered all around the country. Those of Jefferson are divided among the Library of Congress, the Massachusetts Historical Society, the Missouri Historical Society, the University of Virginia, and many other places, as well as among private persons.

The papers of the two Adamases are in Quincy. Buchanan's and Pierce's are scattered. Upon the advice of distinguished historians, Mr. Roosevelt decided to keep his collection in one place. The judgment of the historians is sufficient authority. It is hard to understand why most of the Republicans in the House opposed a bill so evidently meritorious; and the wisdom of the Democratic leaders in suspending the rules and so requiring a two-thirds vote remains mysterious. Doubtless the bill will yet be passed in the ordinary manner. Aside from partisanship, the only intelligible reason for objection is the notion that everything should be piled up in Washington. That is a queer notion for Republicans to hold now.

[Applause.]

I yield back the balance of my time.

The CHAIRMAN. The gentleman from Colorado has consumed 4 minutes.

Mr. KELLER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I am afraid that I am getting to be an egocentric megalomaniac, because I really had a sincere desire a while ago to be able to follow on the floor that modest, shy, retiring flower of the Ozarks and to come immediately after his speech. You will all readily recognize that a man has to be a little bit conceited to think that he can do that effectively. It happens I did not have that opportunity.

I do not think this is a matter that should be charged with partisanship. For my part I am not going to raise that issue and I trust nobody else will, but I do think a couple of statements recently made ought to be corrected.

In the first place, it has been said that this is supposed to be a “monument” to President Roosevelt or a memorial to President Roosevelt for his own writings. Now that

simply is not the case. What this proposal is, is that a gift be given by Franklin D. Roosevelt to the United States of America if Congress chooses to accept it, and that that gift consist of a collection made at the expense of the President himself and not in the nature of a memorial or monument or collection of his personal writings at all. Everybody who has taken the trouble to look into the matter knows that this is a very valuable collection of material, entirely aside of anything that may have come from the pen of the President.

In addition to that it happens to occur to me that when a proposal is made by somebody in the nature of a gift like this, it is up to the recipient to consider the matter from that standpoint. I do not see why the man who offers to make a gift of this kind does not have the right to make suggestions as to how the thing shall be handled, where it shall be placed, and under what circumstances it shall be taken care of. One gentleman who was opposing the measure made a speech here this afternoon and suggested that the President himself should have put up the money to build a building in Washington in which to house this material. I am as convinced as that I am standing here that had that been done the gentleman on that side of the House would have yelled twice as loud about egocentric megalomaniacs and other choice bits like that, because they would have said, “Here is a man who does not think that Congress would accept this and so he is going out here and do it himself to make sure that these things are preserved.”

I think it has been done with very good taste. I think a proposal has been made which, as is evident on the floor of the House, can be criticized and discussed in the House and we can decide whether we want to accept this or not. I believe that it smacks not at all of the charges that have been made. Another thing I resented was when the gentleman from Missouri [Mr. SHORT] made the remark that “the President proposed to charge the people of America two bits to get into this building.” I hope the gentleman did not intend to leave the impression that the President was personally going to collect the money, but I think if he had meant to do that he did a pretty good job of it. I think if he thought it over he would not want to leave that false impression.

There is one respect in which I agree with the gentleman from Missouri [Mr. SHORT]. He said he did not think this was a matter that was particularly vital at this time; he thought other things were more important. So do I. I wish we might be considering this afternoon, in a more deliberate mood than we were able to do before, just what is going to happen on the 1st of September this year in accordance with the so-called relief bill that was recently passed. I am glad to say I did all I could to change that bill, for according to its terms it will be required that 700,000 people who have been compelled to depend upon the W. P. A. for a living for the last year and a half must be summarily dismissed on September 1. What are they to do? It is time that was considered here.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KELLER. Mr. Chairman, I yield 2 additional minutes to the gentleman from California.

Mr. VOORHIS of California. I thank the gentleman. I wish we could be considering that, but I think the gentlemen who are opposing this measure would not give us much help toward getting a chance to consider a thing of that sort. The Republican Members voted solidly, with, maybe, three or four exceptions, for these enforced dismissals, and so I think they would be very much opposed to our reopening a question of that kind, though it is likely to be very serious. I am not one who likes to see protests against Government action take place in the country, but I am one who believes that the Congress should consider the measures it takes in order that they may be just and fair, and I am one who believes that we should look forward to things that may take place in the future. I am also one who believes that we have no responsibility that weighs upon us quite so heavily as the responsibility of seeing to it that the budgets of the modest

citizens of this country are balanced at the level of a decent subsistence. Evidently there is not time to go into a discussion of that, but I would remark to you that I made a speech in the House day before yesterday, which consumed 20 precious minutes, in which I discussed the matter of the national debt and what seemed to me necessary to be done in connection with it. I need only say this: It is my thought that the national debt was contracted very largely by the selling of Government bonds to private banks for deposits of bank credit that had been created particularly for that purpose, and I cannot see why the credit of this Nation is not equally good to redeem that debt. I feel we would have no difficulty in doing so; but I must get back to the subject at hand today.

I believe this is a matter properly put forward, that important records of this most stirring time in the history of this country, collected by a man who happened to be President in one of the critical periods in our history, should become national property, housed in a proper place, and available to future generations. I believe that it is a proposition that the Congress with dignity should accept. [Applause.]

[Here the gavel fell.]

Mr. KELLER. Mr. Chairman, I yield 3 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, I am sure that all of the Republican Members of the House do not oppose this resolution. I am also sure that a number of Republicans have not distinguished between the personal papers of the President and the contents of this library which Franklin D. Roosevelt is willing to turn over to the Government. In this library are some 15,000 volumes of some of the rarest books and historical documents to be found anywhere in the United States. There is nothing in these documents and historical books that has anything whatever to do with any activity on the part of Mr. Roosevelt. It is a collection of great value to the people of the United States. So far as his own writings are concerned, it is too early to form any estimate of what the American people will think of them. It is not too early, however, to accept from the hand of the President one of the greatest private libraries in the United States. I do not understand why there should be any opposition to this.

I for one feel that 50 years from now the place that Franklin D. Roosevelt will occupy in United States history will be quite different from today's sentiment upon my side of the House. I as one Republican am willing to confess openly that, considering the condition of affairs when President Roosevelt came into power in this country, he, more than any other man in the United States, is responsible for our having a representative form of government. [Applause.] If he has made any mistakes since, and he has, and I do not always vote with him—if he has made mistakes history will take care of that, but history cannot take away from him the position he occupies in being the source of inspiration for the American people to continue this form of government. I am for this Government. I want to make this Government better. If there is a weak place in it I want to weed it out. For this very reason some people call me an enemy of this Government, but I am a friend of this Government, and I think Franklin D. Roosevelt is; and when history is written 50 years from now I think it will contain nothing of which even the Republicans need be ashamed. [Applause.]

[Here the gavel fell.]

Mr. KELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman, I regret very much to see this debate this afternoon based on partisan grounds. It reminds me of the occasion a few years ago when a somewhat similar bill was before the House for consideration in connection with the National Gallery of Art and the acceptance of a gift from Mr. Mellon. I did not see partisanship brought into that debate. I believe the gentlemen on this side of the aisle—Democratic—went along and helped to carry out the plan for that great monument to one who was quite a contrast to the present Chief Executive, one who had

through his monopolies collected millions and millions from the poor people of the country. I think nothing much was said about that nor about the great tax fraud scandals that came along; yet Members on my side of the aisle overlooked those things, the suits were dismissed, the matter was forgotten, and we let his memory go on for the good things he did. After all, there are more good things in the life of a person than there are bad. I prefer to remember the good things and good works of a man, rather than the bad.

Never in the history of our country have we had a man who has done so much for the American people, the needy, the rank and file, the oppressed, the underprivileged, the meek, and the weak as the man who is now trying to do a little something more for the American people by leaving to them at least the soil which would perpetuate a portion of the memory of his great deeds for the American people. Mr. Chairman, it is most appropriate that this Congress should participate in a plan of this kind for one who has been instrumental, and the leader, in redeeming economic conditions and the economic life of the American people. [Applause.]

[Here the gavel fell.]

Mr. KELLER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Florida.

Mr. GREEN. This man came into office at a time when 15,000 banks were closed, when wheat brought 18 cents, corn 10 cents, and when the annual income of the American people had dropped to about \$38,000,000,000.

My colleagues will recall that during the dark days of the Hoover administration just preceding the Roosevelt administration the economic condition of our country was probably the most chaotic it has been since its creation during and after the Revolutionary War. Industries had almost ceased to produce, millions of workers were idle, thousands of these unemployed were walking the highways and actually begging for food. Soup and bread lines had been established in the larger populated centers. These soup and bread lines were rapidly exhausting the ability of the local communities and cities to pay for the food for the needy. It was almost impossible to obtain employment of any kind. There was practically no market for labor. Able-bodied men were forced to work for from 50 cents a day upward, or to beg for existence. Millions of them could not even obtain employment at 50 cents a day. About half of the farmers in the country were under mortgage and foreclosure of these mortgages was going on to an alarming degree. Millions of homes other than farms were under mortgage and the debtors had no hope of ever paying off these mortgages.

So hungry were the people, many of them, and so destitute and desperate, until in some communities they were in groups forcing their way into grocery stores and other business establishments and helping themselves to the necessities of life and carrying adequate food out to feed their families. These men were not stealing and could not be classed as criminals. They were hungry American citizens, starving in a land of plenty. This, my friends, was under Republican administration, and little if anything was being done by the Federal Government to even recognize it, to say nothing of trying to relieve it.

There was practically no market for raw materials, particularly farm materials; neither was there purchasing power in the hands of the farmers or in the hands of the former wage earners of factories. Credit hardly existed because the banks had closed on the savings of the American people, and those who had remaining funds were afraid to make loans. There were, of course, many other deplorable conditions in our country, but time will not permit, nor is this the opportunity, to enumerate them in further detail.

Probably the most tragic and threatening of all conditions at that time was the doubt existing in the minds of millions of our true and patriotic American citizens. They were beginning to doubt whether or not they could even govern themselves and whether or not the country could endure for many more months without actual revolution, bloodshed, and forceful appropriation of property for the relief of want and

necessity. My friends, under these conditions we found the American people in 1932.

Now, what is the contrast today? I believe each of you will joyously appreciate the vast difference in the economic life of America today and during that trying period. I doubt that there ever was a period in the history of our country when conditions have changed as favorably in the same length of time. After the American people asserted themselves for redemption of their Government in 1932, they worked rapidly toward this achievement. Practically no banks have closed their doors since the Democrats took over the administration; millions have obtained gainful employment, and I am speaking of those who were unemployed in 1932; the prices of farm commodities have at all times, I believe, during the past 6½ years been higher than they were in 1932; and the general average of farm prices during this 6½-year period is probably twice as high as during 1932; factory outputs have increased from 100 percent to 1,000 percent since 1932; purchasing power has been placed in the hands of the rank and file of our people to such an extent that the total income of our people has almost doubled since 1932.

Some of my alarmist friends speak about the huge Federal funds expended and I grant you that funds have been expended, but the American people have the goods to show for practically every dollar of that which has been expended. School buildings, highways, hospitals, river and harbor improvements, flood control, navigation and power dams, Federal buildings of all kinds, streets, sidewalks, city halls, county court houses, and countless other public improvements stand out as lasting monuments to the wisdom of these Federal expenditures. If you would take stock today of the value of these Federal improvements, you will find that only a small amount of money has been lost through these expenditures. In addition to these physical properties, the human element has largely entered in. The American people have been fed. You do not see them now walking the highways and humbly begging for something to eat. This is a very rare occasion now. Practically all of them are gainfully employed and I do not believe that many people are actually hungry, and none should be. It is the duty of the American civilization and the Government to provide the necessities of life and to make possible the comforts of life for every individual under the American flag.

Vast improvement has occurred during these 6½ years. Credit is now obtainable. Farm produce is salable. Factory outputs are in fairly good demand, and beyond and above and more important than all of this is the fact that the American people are more contented and are happier. Children are now attending school and having warm food given to them during the noon hour—children who previously stayed at home, hungry and without garments to wear to school. Millions of young boys and girls through the C. C. C. camps and N. Y. A. are developing into proud and respected American citizens. Now, some of my colleagues would severely criticize and low-rate these marvelous achievements and culminate their criticisms and objections here today against the founding of an appropriate establishment for the spearhead of these betterments.

This library undertaking, proposed today, is not one to cause a big Federal expenditure and in this connection, I call your attention to the following statement from the committee's report:

Before finally arriving at his decision to offer these collections to the Government, Mr. Roosevelt sought the advice of a representative group of distinguished American scholars and publicists and, with their advice and approval, worked out the plan proposed. There was organized also, under the chairmanship of Hon. Frank C. Walker, a group of businessmen and other public-spirited citizens to help in raising funds for the construction of the library building at private rather than public expense.

Now, you will see from this that all of the extraneous statements brought out here today are far afield from the purpose of this bill. This is one of the small things in which we can help our great Chief Executive to render a service to the future generations of America. It is most appropriate that this be done and done now. It will, in a way, be a small token of

service and I predict now that no library in the world will draw the attention, respect, and appreciation of future generations as will this one. The documents therein will be read and appreciated more and more as the years pass on. People for ages have erected monuments and tokens to those whom the world calls great; savage tribes and primitive Americans had their own way of commemorating deeds and achievements. Likewise, civilized man has done it in other ways. The pyramids, cones, towers, and edifices were long ago erected in the valley of the Nile. They stand there today in token of the achievements of man and of generations.

Throughout the ages achievements have been commemorated. Monuments have been erected to emperors whose scepters have been symbols of universal power; to soldiers who have won their way to fame beneath the flashes of the sword; to statesmen whom the world has called great; to poets whose songs have been the mirrors of the passions and the hopes and glories of the age; to philosophers who have sought to penetrate the secrets of the stars; to religious teachers whose flocks follow without question. But to all whose memory should be carried on none stand out greater than he who successfully strives to liberate economic bondage of the weak, the meek, and the underprivileged. In this role I doubt that service and accomplishments have ever exceeded that of Franklin D. Roosevelt. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Chairman, I have heard statements made by the last two or three gentlemen who spoke regarding an appeal to partisanship. I am sure most of you were here when the chairman of the Rules Committee made his statement in reference to the rule, and I must say that I never heard a more flagrant appeal to partisanship in this House. I refer to the statement that the gentleman made about the minority leader on the floor of the House. The gentleman from Illinois used the expression that the whip was used. I deeply resented the statement of the gentleman from Illinois that the minority leader of this House had used a whip on the Members on the Republican side. Frankly, may I say that we have attended three or four conferences on this side of the House and there never has been an occasion when the minority leader has used the whip or steam rolled any Member to go along with any legislation that he was espousing. [Applause.]

[Here the gavel fell.]

Mr. TREADWAY. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. TREADWAY. Mr. Chairman, the remarks of the gentleman from Illinois [Mr. SABATH] did not impress me in quite the same way as they did the gentleman from Ohio; but I was interested in the kind advice he was endeavoring to give the Republican side of the House. He said that we ought to be nonpartisan. Really, why should that not apply much more directly at this particular time to his own side of the House rather than involving the Republican side?

Mr. Chairman, we have not brought partisanship into this debate. That has been brought in entirely by the other side of the House. I want in my humble way to make reference also to the remarks of the majority leader. The majority leader indulged in pure surmise when he said that there never would have been any fault found on the Democratic side if a Republican President had asked that a memorial be erected to himself. Mr. Chairman, I came here, I am happy to say, at the same time the majority leader did. I have admired his career. It has been a privilege and an honor to serve with him. But I cannot conceive of any one of the Republican Presidents, and he named them, wanting to express any such intention of erecting a memorial to himself, which the present occupant of the White House is doing by forcing the pending bill through the Congress at the present time.

Mr. FISH. During their lifetime.

Mr. TREADWAY. That goes without saying. The present occupant of the White House, of course, is alive.

He also cast reflection upon our good colleague, the gentleman from New York [Mr. Fish] in that he said that Mr. Fish disliked the present occupant of the White House personally. I do not know as to that fact myself, but I wish to say to my friend from Texas that I am a great personal admirer of the present occupant of the White House. I know of no more genial, friendly, and kindly disposed person in a personal way than Franklin D. Roosevelt. I like him. [Applause.] He is a neighbor of mine, across the Hudson River. I remember at one time calling on him, and he addressed me as "the hillbilly from the Berkshires," saying that he could see my district from his back steps. All that is a pleasantry between men and I admire him for that type of character. However, I cannot agree with any part of his policies nor do I agree with what is before us today, which has to do with aggrandizing the present occupant of the White House while, as the gentleman from New York says, he is still alive.

There is very little that I know to add in the way of argument to what has been said during this debate. I wish, however, to call attention particularly to the fact that the gentleman from Illinois, my distinguished chairman, read in very great detail from the supposed report of the committee. I maintain, Mr. Chairman, in this debate, and I maintained in the debate when this question was up for consideration before, that this is a phony report. I am a member of the Library Committee, and have tried to be fairly active in attendance upon that committee, but to the best of my knowledge and belief no hearing was ever held on the bill before us, and this report is one entirely made up in the chairman's office.

I wish to call attention particularly to the questions and answers that would appear to have been brought out in the committee. Every one of the letters to which the gentleman referred, particularly the letter in question and answer form from Professor Morison, were in answer to a letter the chairman of the committee wrote to these various persons, they not appearing at a hearing. I do not believe it is a very good way to carry on a discussion like this to simply quote from letters that may come in, particularly when it would appear as though they were a part of a hearing of a committee.

It is somewhat surprising that this measure should be brought up today under a rule. One June 5 the Speaker recognized the Chairman of the Library Committee to move to suspend the rules and pass this bill. The motion failed to carry by the necessary two-thirds vote. It would seem that that expression of the House would have convinced the proponents of the measure that Congress was in no way enthusiastic about having the so-called Roosevelt Library become a reality. So, I trust that the House today will again show its lack of sympathy with this effort to aggrandize and memorialize a living man and again vote not to accept the gift this bill suggests.

I want to discuss the question from two angles; first, the background under which this bill is before us, and, second, the merits of the proposition.

This measure passed the Senate without a word of debate, without any consideration, and without even a hearing before a Senate committee. Comment upon this procedure is unnecessary. To the best of my knowledge the bill was never before the House Committee on the Library and no hearing was held upon it. In spite of this fact, we have here a very elaborate report alleged to have been made under authority of the committee. The chairman is a good soldier, and goes along as directed by the administration. He has a very wide imagination to assume the committee authorized the bill to be reported or approved the report prepared at the other end of Pennsylvania Avenue.

Now permit me to make reference to the bill itself. In exchange for 12 acres of land in the village of Hyde Park, N. Y., it pledges the faith of the Federal Government to maintain a building not yet constructed and pay all maintenance costs until the end of time. It conveys the unheard-of authority of Congress to charge an admission of 25 cents to the land area and a further admission charge of 25 cents to the

hallowed building itself. I know of no Government property, entirely owned by the people of this country, to which Congress has authorized an admission charge, and we are all aware of the protest which is being raised against the unauthorized charges recently levied by the Secretary of the Interior for admission to Ford's Theater, the Peterson House, to Fort McHenry, and to the Lee Mansion in Arlington. Incidentally, I am informed that these unauthorized admission charges to these national shrines have already resulted in a marked falling off in the number of visitors. Congress never intended that admission should be charged to national shrines, and certainly we should not set such a precedent in this case.

On page 15 of the alleged report of the House Library Committee there appears an article from the New York Herald Tribune of February 5, 1939, headed "Drive Started for Roosevelt Library Fund." The article says that at a dinner in the Carleton Hotel, which the President attended, Mr. Frank C. Walker was named chairman of the committee to raise funds to erect on the President's estate at Hyde Park a repository for his State papers, correspondence, and private libraries. It is interesting to note that Mr. Walker, a former Montana lawyer, was at one time treasurer of the Democratic National Committee. An indication of the reception Mr. Walker's drive is meeting in his own State is contained in a dispatch from the Detroit Free Press' Washington bureau under date of July 3, 1939. It refers to the vigorous protest of Mr. O. S. Warden, of Great Falls, Mont., a member of the Democratic National Committee, whose friends quote him as saying:

This is the last straw. It is bad enough to meet repeated demands for the Democratic National Committee, but when it comes to soliciting money for the Roosevelt memorial I'm ready to quit.

If the State papers, correspondence, and private libraries of Mr. Roosevelt are of such great value and interest to the people, there is only one proper repository for them, and that is the National Capital, where there is ample room for their proper display and preservation, and not in an out-of-the-way village near Poughkeepsie, N. Y. Such portion of these documents as pertain to Mr. Roosevelt's services as Governor of New York could well be donated, should he so desire, to the State of New York. The portion having to do with his two terms as President of the United States could well be cared for in Washington where there is ample room in the new addition to the Library of Congress and in The Archives Building. Here they would be accessible to the public for inspection or to students of history in future years. Washington is the national repository, and one would needs be a most enthusiastic student or research worker to go to the village of Hyde Park to inspect such a relatively small portion of our national history.

Again, the bill practically sets up a branch office of the Archivist, who will be called upon to maintain a staff at Hyde Park, besides imposing upon the Treasury Department the added duty of carrying a new account upon its books.

On page 4 of the alleged report, in its final argument in support of the proposition, it is stated that Hyde Park is located on one of the most heavily traveled post roads in the country. This no doubt is true at this moment, but upon the completion of the new superhighway between New York and Albany, already half finished, the use of the post road will be confined principally to local and truck traffic. I may add that the new highway runs nowhere near Hyde Park.

I am confident that I voice the sentiment of a vast majority of the American people when I say that the public papers of all Presidents, and of all other public servants for that matter, should be filed in Washington, where suitable provision has been made for their exhibition and their preservation.

I have mentioned a few of the objections to this bill. There are many others. There is absolutely no valid argument for it except that of the personal aggrandizement of Franklin D. Roosevelt, and if for no other reason this should be sufficient to defeat it. [Applause.]

Mr. KELLER. Mr. Chairman, I yield myself the balance of the time.

I am sorry my colleague on the committee, the gentleman from Massachusetts, was not present when we had the actual hearing on this matter. He is, however, a very important—and I speak seriously—Member of this House, and a member of a number of very important committees. Although he has attended as often as any man could under the circumstances, he has not always been present when we have been compelled to carry on the business of the Library Committee.

We had a hearing for 2 hours one morning, and after we had discussed the matter thoroughly we decided that the best way of getting the information before the House was to proceed in the following way: If you will refer to the printed hearings you will find they are a matter-of-fact presentation of the events as they transpired. At the top of page 17 you will find the following letter, which, with a copy of the resolution, House Joint Resolution 268, was sent to the persons who had attended a luncheon, at which plans for this action were fully discussed. These persons were present because they knew much about the subjects involved. The letter went to other leading authorities in the fields of historical research, economics, and government. This is the letter I wrote:

Your interest in the subject covered by the enclosed bill has come to my attention.

I should very much appreciate any statement you care to make for the record concerning the need, advisability, and desirability of this project. Your reply will be kept as a part of the official record concerning the development of this project.

Very cordially yours,

KENT E. KELLER, *Chairman.*

On page 14 you will find the list of those at the luncheon, persons high in the scholastic as well as in the economic world.

These authorities answered as shown in the appendix of the hearings. This is my judgment, and the judgment of the members of the committee present at that time, was the best way of getting the information before this body. All of those who have read the report and read the specific questions that Professor Morison put to himself and his answers have a perfectly clear understanding of what we are really driving at. All we are doing here is attempting to accept under such conditions as are acceptable to the President of the United States the first and only complete and entire collection of Presidential papers we have ever had the opportunity of securing.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I yield to the gentleman from Washington.

Mr. LEAVY. The burden of the objections we have heard today seems to be that this offer comes from a man who is still living, and for that reason we ought not to accept it. May I ask the gentleman if it is not his opinion that if Herbert Hoover, the only living ex-President of the United States, were willing to make an identical offer insofar as it were possible to do so, the Members on this side of the House would support it and vote to accept such an offer?

Mr. KELLER. I wish to answer the gentleman by saying that in my judgment the Library Committee would unquestionably report with exactly the same favor with respect to the Herbert Hoover Presidential papers that we have reported with regard to the Franklin D. Roosevelt Presidential papers, and I believe this House would accept such an offer in the same way. As a challenge, I suggest to the gentlemen on the other side, if they believe we are not sincere in this statement, that they get Mr. Hoover to make a proposal exactly like Franklin D. Roosevelt's offer and see how quickly we accept it. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Resolved, etc.—

TITLE I—DEFINITIONS

SECTION 1. As used in this joint resolution—

(a) The term "donor" means Franklin D. Roosevelt.

(b) The term "historical material" includes books, correspondence, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, and other similar material.

(c) The term "Board" means the Trustees of the Franklin D. Roosevelt Library.

TITLE II—FRANKLIN D. ROOSEVELT LIBRARY

SEC. 201. The Archivist of the United States is authorized to accept for and in the name of the United States from the donor, or from such person or persons as shall be empowered to act for the donor, title to a tract of land consisting of an area of 12 acres, more or less, of the Hyde Park estate of the donor and his family, located on the New York-Albany Post Road, in the town of Hyde Park, Dutchess County, State of New York; such area to be selected and carved out of the said estate by the donor and to be utilized as a site for the Franklin D. Roosevelt Library provided for in this title.

SEC. 202. The Archivist is authorized to permit the Franklin D. Roosevelt Library, Inc., a New York corporation organized for that purpose, to construct on the area referred to in section 201 of this title a building, or buildings, to be designated as the Franklin D. Roosevelt Library, and to landscape the grounds within the said area. Such project shall be carried out in accordance with plans and specifications approved by the Archivist. The Secretary of the Treasury is authorized to permit the facilities and personnel of the Procurement Division of the Treasury Department to be utilized in the preparation of plans for and in the construction and equipping of the project: *Provided*, That the Franklin D. Roosevelt Library, Inc., shall enter into an arrangement satisfactory to the Secretary of the Treasury to reimburse the said Procurement Division for the costs and expenses incurred for such purposes, as determined by the Secretary of the Treasury.

With the following committee amendments:

Page 2, line 20, strike out "Secretary of the Treasury" and insert in lieu thereof "Federal Works Administration."

Page 2, line 22, strike out "Procurement Division of the Treasury Department" and insert "Public Building Administration."

Page 3, line 3, strike out "Procurement Division" and insert "Public Building Administration."

Page 3, line 5, strike out "Secretary of the Treasury" and insert "Federal Works Administration."

The committee amendments were agreed to.

The Clerk read as follows:

SEC. 203. Upon the completion of the project authorized in section 202 of this title, the Archivist shall accept for the Franklin D. Roosevelt Library, as a gift from the donor, such collection of historical material as shall be donated by the donor. The Archivist may also acquire for the said library from other sources, by gift, purchase, or loan, historical books related to and other historical material contemporary with and related to the historical material acquired from the donor. The historical material acquired under this section shall be permanently housed in the Franklin D. Roosevelt Library: *Provided*, That the Archivist may temporarily remove any of such material from the said library when he deems it to be necessary: *And provided further*, That the Archivist may dispose of any duplicate printed material in the said library by sale or exchange, and, with the approval of The National Archives Council, may dispose of by sale, exchange, or otherwise any material in the said library which appears to have no permanent value or historical interest. The proceeds of any sale made under this section shall be paid into the special account provided for in subsection (d) of section 205 of this title, to be held, administered, and expended in accordance with the provisions of that subsection.

SEC. 204. The faith of the United States is pledged that, upon the construction of the Franklin D. Roosevelt Library and the acquisition from the donor of the collection of historical material in accordance with the terms of this title, the United States will provide such funds as may be necessary for the upkeep of the said library and the administrative expenses and costs of operation thereof, including the preservation and care of historical material acquired under this title, so that the said library shall be at all times properly maintained.

Mr. TREADWAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TREADWAY: Page 4, beginning in line 4, strike out all of section 204.

Mr. TREADWAY. Mr. Chairman, a great deal has been said about the generosity of the donor of the library. It seems to me that a very uncertain charge is being placed upon the taxpayers of the country in the upkeep of this library and therefore there should be no reference made, as I see it, in the measure to the support of the library and the maintenance thereof by the Government unless there is a very definite statement as to the amount involved. The bill pledges the faith of the United States to eternity in the upkeep of this particular building and the contents thereof, as well as the maintenance of the grounds surrounding it.

If this is to be a generous donation by friends of the President and of the President himself, maintenance should be provided for and the taxpayers of the country should not be asked to support the building and maintain the grounds

in as inaccessible a location as Hyde Park will be when the new main thoroughfare from Albany to New York is completed. The gentleman from New York [Mr. ROCKEFELLER], living in that neighborhood, described the inaccessibility of Hyde Park, and this will be accentuated when the new road, which is now half-way finished, is completed.

It seems to me that in view of the great spirit of generosity about which we have heard so much today there should be provision made for maintenance and upkeep.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Missouri.

Mr. SHORT. Of course, the gentleman from Massachusetts is aware of the fact that there are many public memorials to our great men, but that they are not maintained by the Federal Government. Recently I visited the memorial erected to the memory of President McKinley at Canton, Ohio, and although it is a beautiful memorial, it is in a sad state of repair. They cannot get one dime from the Federal Government to keep up a memorial that already exists.

Mr. RAYBURN. Mr. Chairman, I rise in opposition to the amendment.

Of course, if you were not going to pass this bill or if you were going to strike the enacting clause out later, it would be all right to adopt the amendment of the gentleman from Massachusetts; but if the bill is going to pass, this property is to become the property of the United States, and there is no fund anywhere in perpetuity that is big enough to raise this much money to maintain it, then certainly this amendment should not be adopted.

The Federal Government, in respect of all of its properties that I know anything about, pledges itself for its maintenance and the section which the gentleman from Massachusetts has moved to strike out simply provides for the maintenance of Federal property.

Mr. LUCE. Mr. Chairman, I move to strike out the last two words in order to inquire of the gentleman from Texas who maintains Mount Vernon, the shrine of George Washington?

Mr. RAYBURN. The 25 cents that the people pay to go in there maintains Mount Vernon, and Mount Vernon is not the property of the United States. It belongs to the Ladies' Association of Mount Vernon.

Mr. LUCE. Then we shall make a distinction between the present occupant of the White House and the first occupant of the White House?

Mr. RAYBURN. Oh, I hope the gentleman from Massachusetts, for whom I have such a deep feeling of respect and regard, will wipe that question out of the RECORD, seeking to make a distinction between the first President of the United States and the present President. The Mount Vernon property does not belong to the Government of the United States at all. It is a private institution.

Mr. LUCE. I will, however, not withdraw my statement, but will add to it, who maintains Monticello?

Mr. RAYBURN. The 50 cents that the people pay to go in to see it, and that property does not belong to the Government of the United States, I will say to my distinguished friend from Massachusetts.

The pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The amendment was rejected.

Mr. FISH. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment by Mr. FISH: Page 4, line 13, after the word "maintained", strike out the period, insert a colon and the following: *Provided*, That not more than \$12,000 shall be expended annually.

Mr. FISH. Mr. Chairman, I hope we can consider this regardless of party views no matter how our votes may be determined on the final passage of the bill. Section 204, page 4 of the bill, which we are discussing, reads as follows:

Sec. 204. The faith of the United States is pledged that, upon the construction of the Franklin D. Roosevelt Library and the acqui-

sition from the donor of the collection of historical material in accordance with the terms of this title, the United States will provide such funds as may be necessary for the upkeep of the said library and the administrative expenses and costs of operation thereof, including the preservation and care of historical material acquired under this title, so that the said library shall be at all times properly maintained.

There is absolutely no limitation whatever in this bill as to the cost of maintenance of this library. I have heard it said on what I believe good authority that it may cost over \$100,000 a year to maintain this little library at Hyde Park, a library that is to contain the official papers of the President of the United States. I have tried to make it very clear why I am opposed to this on three grounds. First, it is an unholy precedent. It takes away from Washington and from the Congressional Library these papers that ought to be there and we by our approval help to send them to Hyde Park. In the next place, it costs money. The money comes out of the Government of the United States. In the third place, it is a monument to be erected to a living man. Putting aside those fundamental reasons why we are opposing this, we ought not to give carte blanche, we ought not to propose in this bill that they may spend any sum they desire—\$100,000, \$200,000, \$300,000—even more than the cost of the construction of the building, to maintain it. It is not sound or wise or proper legislation for the Congress of the United States to write into a bill—no limitation whatever. So I am offering this amendment limiting the maintenance to \$12,000 a year.

Certainly that is an ample sum, if we are simply to maintain that library for President Roosevelt's papers, and he can hire a librarian and a couple of assistants and a guard or two. There are ample funds for that in \$12,000; but if you think they are going to buy other papers, and are going to establish another congressional library, then I say pass this bill without any limit whatever. As far as I am concerned, I think this is a very proper and necessary amendment, regardless of partisan or party affiliations. It limits the total appropriation to \$12,000. Is not that enough for this library, regardless of our opposition on this side to it upon three different grounds? I am not pleading on those grounds now. I am pleading for a limitation to be written into the bill; and if Members of Congress on the Democratic side want to take the responsibility in the face of a deficit of three and a half billion dollars, then the responsibility is theirs. Put no limit on it at all, and then somebody will come in in some future Congress and instead of having 4 or 5 you will have 40 employees, and instead of spending \$12,000, more than likely you will be called upon to appropriate \$100,000. There is no limitation here, and knowing how people act when there is no limitation upon spending—whether they be Democrats or Republicans—we should fix a limit, else we will have a white elephant on our hands, with no restriction placed on those in charge, who will come back here and ask for unprecedented sums of money.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. FISH. Yes.

Mr. SHORT. Not only in section 204 on page 4 does it say that the United States shall provide such funds as may be necessary for the upkeep of said library and the administrative expenses and cost of operation thereof, including the preservation and care of historical material, but in section 206, on page 7, it provides that the Commissioner of Public Buildings shall be responsible for the care, maintenance, and protection of the buildings and grounds of the Franklin D. Roosevelt Library, and that except as provided in that sentence I have just read, the immediate custody and control of the library—

And such other buildings, grounds, and equipment as may from time to time become a part thereof, and their contents, shall be vested in the Archivist of the United States.

Mr. FISH. In the name of common sense and the Treasury of the United States I ask that this amendment be adopted.

Mr. RAYBURN. Mr. Chairman, I rise in opposition to the amendment.

I oppose this, Mr. Chairman, primarily on the same ground as I opposed the last amendment. I do not know of any bill

that Congress has ever passed acquiring property where a limit on expenditures for upkeep was set. If there has ever been a thing like that done I would like to have some Member of the House call it to my attention.

The gentleman from New York [Mr. FISH] does not say "\$12,000." He says "not more than \$12,000." And always in the future, as in the past, the Congress will have the power to appropriate \$12,000 for maintenance, or nothing. If the parties should change, which I do not think they will judging from the actions that have been taken by the minority in the last few weeks, to say the least, they could refuse, and in all probability would refuse, to appropriate one red cent for this matter. But this is an unusual amendment. I never heard of one being offered before, where the Federal Government acquired title to property, where a limitation upon an appropriation like this was set out.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. FISH].

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 79, noes 118.

Mr. FISH. Mr. Chairman, I ask for tellers.

Tellers were ordered and the Chair appointed Mr. KELLAR and Mr. FISH to act as tellers.

The Committee again divided and the tellers reported there were—ayes 78, noes 118.

So the amendment was rejected.

The Clerk read as follows:

SEC. 205. (a) A Board to be known as the Trustees of the Franklin D. Roosevelt Library is hereby established. The Archivist and the Secretary of the Treasury shall be ex officio members, and the Archivist shall be chairman of the Board. There shall also be five members of the Board appointed by the President for life, but the President may remove any such member for cause. Vacancies on the Board shall be filled by the President. Membership on the Board shall not be deemed to be an office within the meaning of the Constitution and statutes of the United States.

(b) No compensation shall be paid to the members of the Board for their services as such members, but they shall be allowed their necessary expenses incurred in the discharge of their duties under this title. The certificate of the chairman of the Board shall be sufficient evidence that the expenses are properly allowable.

(c) The Board is hereby authorized to accept and receive gifts and bequests of personal property and to hold and administer the same as trust funds for the benefit of the Franklin D. Roosevelt Library. The moneys or securities composing trust funds given or bequeathed to the Board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, and retain investments as the Board may from time to time determine: *Provided, however*, That the Board is not authorized to engage in any business nor to exercise any voting privilege which may be incidental to securities in such trust funds, nor shall the Secretary of the Treasury make any investments for the account of the Board which could not lawfully be made by a trust company in the District of Columbia, except that he may make any investment directly authorized by the instrument of gift under which the funds to be invested are derived and may retain any investments accepted by the Board.

(d) The income from any trust funds held by the Board, as and when collected, shall be deposited with the Treasurer of the United States, who shall enter it in a special account to the credit of the Franklin D. Roosevelt Library and subject to disbursement by the Archivist, except where otherwise restricted by the instrument of gift, in the purchase of equipment for the Franklin D. Roosevelt Library; in the preparation and publication of guides, inventories, calendars, and textual reproduction of material in the said library; and in the purchase, under section 203 of this title, of historical material for the said library. The Treasurer of the United States is hereby authorized to honor the requisitions of the Archivist made in such manner and in accordance with such regulations as the Treasurer may from time to time prescribe. The Archivist may make sales of any publications authorized by this section at a price which will cover their cost and 10 percent added, and all moneys received from such sales shall be paid into, administered, and expended as a part of the special account herein provided for.

(e) Unless otherwise restricted by the instrument of gift, the Board, by resolution duly adopted, may authorize the Archivist to use the principal of any gift or bequest made to it for any of the purposes mentioned in subsection (d) hereof.

(f) The Board shall have all the usual powers of a trustee in respect to all funds administered by it, but the members of the Board shall not be personally liable, except for misfeasance. In the administration of such trust funds the actions of the Board, including any payments made or authorized to be made by it from such funds, shall not be subject to review or attack except in an action brought in the United States District Court for the District of Columbia, which is hereby given jurisdiction of such suits,

for the purpose of enforcing the provision of any trust accepted by the Board.

Mr. TABER. Mr. Chairman, I make a point of order against the section on the ground that it contains an appropriation of public funds and that it is reported by a committee not having jurisdiction to bring into the House an appropriation bill.

I call the attention of the Chair to the following language on page 6, in line 7:

The Treasurer of the United States is hereby authorized to honor the requisitions of the Archivist made in such manner and in accordance with such regulations as the Treasurer may from time to time prescribe.

Those words take money directly from the Treasury of the United States without any limitation and are in violation of the provisions of clause 4 of rule XXI of the House, which reads:

No bill or joint resolution carrying appropriations shall be reported by any committee not having jurisdiction to report appropriations, nor shall an amendment proposing an appropriation be in order during the consideration of a bill or joint resolution reported by a committee not having that jurisdiction. A question of order on an appropriation in any such bill, joint resolution, or amendment thereto may be raised at any time.

Now, this is a permanent appropriation which will go on forever of whatever amount the Archivist cares to draw for upon the Treasurer under such rules and regulations as the Treasurer may from time to time prescribe. I make the point of order against the section.

The CHAIRMAN. The Chair desires to direct a question to the gentleman from New York. In line 8, on page 6, is the gentleman of the opinion that the authorization there takes money from the United States Treasury or merely honors requisitions?

Mr. TABER. It authorizes the Treasurer of the United States, without any further legislation, to take money right out of the United States Treasury. It is a permanent appropriation.

The CHAIRMAN. Does the gentleman from Illinois wish to be heard on the point of order?

Mr. KELLER. Yes, Mr. Chairman. It seems to me that the point of order is ill taken for this reason: This is not an appropriation. There is no appropriation provided in this at all. It is simply and solely for the purpose of accepting the requisitions of the proper authority in charge of all archives of all kinds and character, because this bill provides that the expense shall be appropriated for as a part of the Archivist's expenses to the Government as a whole.

Mr. COCHRAN. Mr. Chairman, I call attention to the fact that the language in the section provides for the creation of a trust fund to be deposited in the Treasury of the United States. It provides for the raising of a trust fund to be placed in the Treasury, and the language does not take appropriated money out of the Treasury. It is not out of Government funds, but out of the trust fund. It is not in itself a direct appropriation, but more of an authorization for those in charge to draw on the trust fund.

Mr. TABER. Mr. Chairman, I call the attention of the Chair to the fact that there is no limitation on the funds that this should be taken out of. The way it reads it would be taken directly out of the Treasury and not out of any trust fund whatever. It does not say that it shall be taken out of a trust fund, nor is it implied in any way.

The CHAIRMAN. Does the gentleman from New York limit his point of order to the sentence which he read?

Mr. TABER. Mr. Chairman, I made the point of order against the section.

Mr. KELLER. Have you read what is at the bottom of page 5 as to the method of depositing the money in the Treasury first?

Mr. TABER. Yes; I have read that. There is nothing whatever that limits the amount that can be taken out to the amount that is put in, nor is there anything whatever that limits it to being taken out of that fund. It is direct authority to the Treasurer to pay it.

Mr. KELLER. Well, what is a requisition, then?

Mr. TABER. A requisition is a draft upon the Treasurer. This constitutes a permanent appropriation.

Mr. KELLER. Only where the money is already provided, not where it is not provided.

Mr. TABER. No; there is no such limitation.

The CHAIRMAN. The Chair is ready to rule.

The Chair is of the opinion that the point of order made by the gentleman from New York against the section is well taken, and therefore sustains the point of order.

Mr. RAYBURN. Mr. Chairman, I offer an amendment

The Clerk read as follows:

Amendment offered by Mr. RAYBURN: On page 4, after line 13, insert the following:

"Sec. 205. (a) A Board to be known as the Trustees of the Franklin D. Roosevelt Library is hereby established. The Archivist and the Secretary of the Treasury shall be ex officio members, and the Archivist shall be chairman of the Board. There shall also be five members of the Board appointed by the President for life, but the President may remove any such member for cause. Vacancies on the Board shall be filled by the President. Membership on the Board shall not be deemed to be an office within the meaning of the Constitution and statutes of the United States.

"(b) No compensation shall be paid to the members of the Board for their services as such members, but they shall be allowed their necessary expenses incurred in the discharge of their duties under this title. The certificate of the chairman of the Board shall be sufficient evidence that the expenses are properly allowable.

"(c) The Board is hereby authorized to accept and receive gifts and bequests of personal property and to hold and administer the same as trust funds for the benefit of the Franklin D. Roosevelt Library. The moneys or securities composing trust funds given or bequeathed to the Board shall be receipted for by the Secretary of the Treasury who shall invest, reinvest, and retain investments as the Board may from time to time determine: *Provided, however*, That the Board is not authorized to engage in any business nor to exercise any voting privilege which may be incidental to securities in such trust funds, nor shall the Secretary of the Treasury make any investments for the account of the Board which could not lawfully be made by a trust company in the District of Columbia, except that he may make any investment directly authorized by the instrument of gift under which the funds to be invested are derived, and may retain any investments accepted by the Board.

"(d) The income from any trust funds held by the Board, as and when collected, shall be deposited with the Treasurer of the United States who shall enter it in a special account to the credit of the Franklin D. Roosevelt Library and subject to disbursement by the Archivist, except where otherwise restricted by the instrument of gift, in the purchase of equipment for the Franklin D. Roosevelt Library; in the preparation and publication of guides, inventories, calendars, and textual reproduction of material in the said library; and in the purchase, under section 203 of this title, of historical material for the said library. The Archivist may make sales of any publications authorized by this section at a price which will cover their cost and 10 percent added, and all moneys received from such sales shall be paid into, administered, and expended as a part of the special account herein provided for.

"(e) Unless otherwise restricted by the instrument of gift, the Board, by resolution duly adopted, may authorize the Archivist to use the principal of any gift or bequest made to it for any of the purposes mentioned in subsection (d) hereof.

"(f) The Board shall have all the usual powers of a trustee in respect to all funds administered by it, but the members of the Board shall not be personally liable, except for misfeasance. In the administration of such trust funds the actions of the Board, including any payments made or authorized to be made by it from such funds, shall not be subject to review or attack except in an action brought in the United States District Court for the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provision of any trust accepted by the Board."

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes on his amendment.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. TABER. Will the gentleman tell us briefly what his amendment does?

Mr. RAYBURN. I may say to the gentleman from New York that I conceded that his point of order was good.

The amendment I offer leaves out the language objected to by the gentleman from New York in lines 7, 8, 9, and 10 on page 6, reading:

The Treasurer of the United States is hereby authorized to honor the requisitions of the Archivist made in such manner and in accordance with such regulations as the Treasurer may from time to time prescribe.

This undoubtedly meets the objection raised by the gentleman from New York, and I contend that the amendment is in order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

The Clerk read as follows:

Sec. 206. The Director of the National Park Service shall be responsible for the care, maintenance, and protection of the buildings and grounds of the Franklin D. Roosevelt Library in the same manner and to the same extent as he is responsible for the National Archives Building in the District of Columbia. Except as provided in the preceding sentence, the immediate custody and control of the Franklin D. Roosevelt Library, and such other buildings, grounds, and equipment as may from time to time become a part thereof, and their contents shall be vested in the Archivist of the United States, and he is authorized to appoint and prescribe the duties of such officers and employees, including clerical assistance for the Board, as may be necessary for the execution of the functions vested in him by this title.

With the following committee amendment:

Page 7, line 1, strike out "Director of the National Park Service" and insert in lieu thereof "Commissioner of Public Buildings."

The amendment was agreed to.

The Clerk read as follows:

Sec. 207. The Archivist shall prescribe regulations governing the arrangement, custody, protection, and use of the historical material acquired under this title; and, subject to such regulations, such material shall be available to the public free of charge: *Provided*, That the Archivist is authorized to charge and collect, under regulations prescribed by him, a fee not in excess of 25 cents per person for the privilege of visiting and viewing the exhibit rooms or museum portion of the said library; and any funds so derived shall be paid by the Archivist into the special account provided for in subsection (d) of section 205 of this title, to be held, administered, and expended under the provisions of that subsection.

Mr. TREADWAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TREADWAY: Beginning on page 7, in line 24, with the word "*Provided*," and continuing through line 6, on page 8, strike out the proviso.

Mr. TREADWAY. Mr. Chairman, the object of this amendment is very plain.

I am very much opposed to any collection being made of 25 cents per head for the privilege of visiting and viewing the exhibit rooms or museum portion of said library. It seems to me that if this library is to be supported by the taxpayers of the United States they certainly ought to have the privilege of seeing what they are paying taxes for. I cannot for the life of me understand why a charge should be made to go into this building. We have a very good illustration of what comes of trying to charge admission to buildings here in the city of Washington in the case of certain buildings under the supervision of the Secretary of the Interior, but that is done under regulations he has seen fit to make. This, however, amounts to taxation, for it is a charge prescribed in a law. I know of no law wherein an admission is charged to any public property of the United States. It seems to me to be degrading to the people to ask them to contribute 25 cents per capita to enter this particular building, and I trust that the amendment that I have offered will be adopted.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. DOWELL. There is an illustration of that right here in the Capitol, for everyone who enters the Capitol must pay 25 cents to go through the building, and that ought to be abolished.

Mr. TREADWAY. The gentleman has made a very good suggestion. There is just as much sense in charging 25 cents to enter the Capitol Building as there is to enter these other buildings that have been paid for by the people. The provision I would strike out of the pending bill is even worse than that, for the people at this time know nothing about what they are going to be admitted to see. This supports the argument of the gentleman from Iowa that we ought not to charge admission to this Capitol or any public building here in Washington, and certainly we should not by law impose a charge for admission to a building not yet constructed.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. RAYBURN. A moment ago the gentleman from New York [Mr. Fish] offered an amendment which would have

limited the Government expenditure on this library to \$12,000 and no more, stating that he thought the Government ought not to pay anything on matters of this kind. The gentleman from Massachusetts now comes along and offers an amendment which would strike out the one provision of the bill which would help pay the expenses of this library.

Mr. TREADWAY. Mr. Chairman, I do not hesitate to say that I thoroughly approve the amendment offered by the gentleman from New York. There should not be a greater charge than \$12,000 per year for the maintenance of that library; but the taxpayers of the country, having once made a payment of \$12,000, should not be taxed a second time for admission. That is a policy too small to be considered, and I am astonished that the gentleman from Texas, with his great fund of knowledge, information, and ability, should lower himself to the point of advocating a tax of 25 cents for admission to this building.

Mr. RAYBURN. The gentleman is just for any small crippling amendment to this bill.

Mr. TREADWAY. No; I beg the gentleman's pardon. It is just the reverse. If the building is going to be constructed, and I realize it will be, in spite of the strong opposition that has been lodged here today, let us be dignified about this thing. When we get to the building, let us have something we will be proud of and not a dime museum.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, it is very apparent that the Democratic majority intends to accept this so-called gift and begin the erection of a monument to a living President, to be maintained at the expense of the taxpayers. It is the first time in the history of our country, so far as my knowledge goes, that a President thought it necessary, in order to perpetuate the memory of his administration to, during his lifetime, call for the use of Federal funds for the erection of a monument to himself.

Perhaps it is well, if the President must have a monument, that such a course be adopted, for monuments are not erected to perpetuate the memory of all Presidents. This monument is to take the form of a library where the precious private papers of the President and, perhaps, of other members of his family who are prolific writers for profit will be preserved for the coming generations. Inasmuch as the amendment of the gentleman from New York [Mr. FISH] providing that the Federal contribution for the upkeep of this memorial be limited to \$12,000 per annum was voted down and as it now has been determined that the Federal Government is to take over the burden, whether the taxpayers desire it or not, of maintaining this edifice through the coming generations, the amendment of the gentleman from Massachusetts [Mr. TREADWAY] to the effect that we should strike from the bill the charge for admission for the privilege of seeing these historical documents would seem to be in order.

If the writings of this President or of members of his family, or the epistles received by him are of such transcendent value that they require during his lifetime the erection of a special building in which they may be safeguarded, it would be interesting to learn, if we may, from the members of the majority, whether all of the writings of the President and all of the resolutions, petitions, letters, memoranda, and chits received by him from various organizations and individuals during his tenure of office are to be included and preserved for posterity.

Well do I recall my extreme interest, when visiting Mount Vernon, in some of the letters received by Washington and in some of his replies. Especially those of a more intimate nature, for we all are concerned in what might be termed the little things which affect our daily lives. We are all interested in the domestic happenings, the little individual transactions, of the great and of the near great. Especially do I recall the great degree of interest with which I viewed the dental instruments used by Washington. As long as memory is mine I will see the wooden plugs which George Washington, the Father of our Country, was forced by the crudities of his generation to use as teeth.

The thought occurs now, Will this library safeguard and preserve for posterity all of those little intimate happenings which have, perhaps unconsciously, affected the life of our President? Many recall some of the old recipes which we find among the papers of some of our great men who have passed beyond; the descriptions of family dress in intimate letters or of family custom contained in intimate letters from one member of a family to another. Will future generations find in this library erected to the memory of Franklin D. Roosevelt the endorsement of a well-known brand of baking powder; will we find there a record of the sums paid members of the Roosevelt family for addresses, lectures, or writings; will we find there a history of the business transactions of the President's sons with little intimate comments of other members of the family? Will we find complete copies of the letters of the First Lady of the land as set forth in her column *My Day*? Will we find in this so-called library the evidence which shows that the Workers Alliance is controlled and its policy dictated by Communists, and following that, will there appear the copy of the address of the First Lady to a recent gathering of the Workers Alliance?

Will we find among these precious papers the resolutions of the Joint Committee for the Defense of American Ideals, signed by the leaders of 21 of the 23 organizations which bolted the American Youth Congress because that Congress refused to condemn communism? Attached to those resolutions will we find the address of the First Lady of the Land, delivered to that organization which is charged with fostering, with failing to condemn communism? Will we find in that edifice among the President's state papers his endorsement for a third term as President written by Earl Browder, head of the Communist Party in America? In connection with this document, will we find that communication put out in Michigan supporting Maurice Sugar, one of the leading attorneys for the C. I. O., and supporting Murphy, the President's personal friend, his choice for Governor of Michigan, his choice for Attorney General of these United States? Will that document contain, so that posterity may read and learn, this appeal made in that circular in that election, and which reads:

To all who hate the smug priests of the Catholic Church, and the slimy hypocritical ministers of the Protestant churches; * * * to all who are opposed by this damnable Government, we address this message. Vote for our candidate (Maurice Sugar).

I quote further:

Close the churches and make those buildings into shelters for homeless men and women. Down with religion, which is opium which the ruling class feeds you to keep you satisfied with the miserable existence which you lead. There is no God.

Will that collection of papers contain a repudiation by the President of the support of the Communists? Will there appear among those documents a letter written by the President condemning the teachings of the Communists as set forth in the foregoing quotation? Such condemnation has not yet appeared in the public press, so far as I have been able to learn, nor has there been any intimation anywhere from the President's bosom friend, Attorney General Murphy, showing that he, while Governor, repudiated the political support of the Communists and their allies.

We know today that the United Mine Workers contributed \$470,000 toward the election of the President in the 1936 campaign. Will that fact be set forth among these papers? Will there be a copy of the President's reply, if any was made, to that generous gift? Will there be in that vast collection a copy of any letter written to Murphy while he was Governor of Michigan calling attention to the fact that civil liberties were being denied to hundreds of men and women who were willing to work, but who were denied that privilege by the Governor of Michigan, the President's friend? In this great collection, will there be any letter or any statement by the President condemning the use for political purposes of money appropriated to relieve the needy, the starving, those suffering from cold and from lack of food? We, now here on this earth, know how vast sums were diverted from the needy and used to corrupt the voters. Will these papers and writings of the President tell us when and where he condemned

that practice? Will there be a record of letters written by him to his intimate, powerful political supporters asking them to repudiate, to prevent that misuse of public funds? Will there be an explanation of why the President wrote his name in the Democratic campaign books which were sold to corporations for as much as \$50 each?

Oh, the inquiries might be extended indefinitely, but the foregoing is sufficient to give an idea of how valuable such a collection will be if it contains not a part, but all of the papers showing the record of the President, Roosevelt.

Turning now to another phase of the debate, let me express my great admiration for the ability of the gentleman from Texas [Mr. RAYBURN] who, on one occasion this afternoon, said that he possessed the power of imagination. I think all of us can agree that he possesses that power in an almost unlimited degree. He certainly uses his imagination when he describes the greatness of his President. No doubt he is correct when he complains that we on the Republican side find altogether too much fault with the President and his policies. It may be true that some of us over on this side can see little or no good in most of the things that the President has advocated and brought about. It may be equally true that the gentlemen on the other side, and especially the gentleman from Texas [Mr. RAYBURN], have gone to the other extreme and now, if I may use the term, almost worship at the feet of the man in the White House. The alacrity with which some on that side do his bidding would indicate that they believe him incapable of error. The meekness with which they turn the other cheek indicates not a lack of spirit but an abiding love for the hand that smites, the foot that boots. This thought rose out of the fact that the gentleman from Texas [Mr. RAYBURN] has on two or three occasions criticized the gentleman from Montana [Mr. THORKELSON] and some others on this side when they ventured to criticize the President, who, it sometimes almost seems, the gentleman from Texas [Mr. RAYBURN] regards as an idol.

Mr. RAYBURN. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Texas.

Mr. RAYBURN. The gentleman from Texas did not criticize the gentleman from Montana. He was criticizing certain material that was being put in the RECORD, which was conducive to racial hatred.

Mr. HOFFMAN. The gentleman is right in one particular. The gentleman from Texas did not criticize the gentleman from Montana. He just criticized what he said; that is all. He wanted to deny to the gentleman the right to express on the floor of the Congress his opinion.

Mr. RAYBURN. Oh, no.

Mr. HOFFMAN. Because those views were in conflict with the views of the gentleman from Texas.

Mr. RAYBURN. The gentleman is entirely wrong.

Mr. HOFFMAN. The gentleman from Texas [Mr. RAYBURN], I repeat, was correct in one particular. He did not criticize the gentleman from Montana [Mr. THORKELSON] because of his personal appearance. He did not criticize the gentleman's necktie, his clothes, or the manner in which he combed his hair. Perhaps he did not criticize him because he was finding fault with the President and with some of the President's associates. What the gentleman from Texas did do was to criticize the conduct of the gentleman from Montana [Mr. THORKELSON] in putting into the RECORD some of the things that the gentleman from Montana desired to insert therein. Whether we agree with the views of the gentleman from Texas or with those of the gentleman from Montana is a question for each individual, but ill will be the day when it is the practice of this House to prevent any Member criticizing an Executive, the associates of that Executive, or his administrative acts. We on this side find no fault—at least I know of no one who finds any fault—because the gentleman from Texas and some others on the majority side have reached that apparent state of mind where they think the President can do no wrong.

Where they apparently accept unquestioned, or at least make no audible protest, when the President receives, or at least does not repudiate, the political support of those at the

head of an organization which advocates the overthrow of our Government by force. For myself, the right is reserved to think as my intelligence and my judgment, if any, guide me and to exercise, so long as our Constitution endures, the right of free speech on the floor of the House, doing so with charity for the views of all, insisting, however, that each Member of the House may use his constitutional right unhindered, unrestricted, so long as he confines himself to parliamentary language to express his views. If that privilege once be denied to the humblest Member of this House, to the most lowly citizen of our Commonwealth, then, indeed, may the President, by the use of the vast sums granted to him, by the exercise of that unlimited authority which the majority Members of this House have seen fit to vest in him, go on not only to a third term but to that position where he may name his successor. Yes; it is well for history at least that the papers of the President and of those who associate with him be preserved, so that in the future those who follow us in our brief sojourn here on earth may learn of the steps by which Franklin Delano Roosevelt succeeded or failed in his attempt to remake our form of government, to establish himself as a dictator over these free United States of America.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, we are asked to spend some \$300,000 for the construction of a library, which may not be a lot of money, but I cannot see why the President would not veto this bill if the House of Representatives and the Senate pass it. I want to refer back to a statement made by the President at Sioux City, Iowa, on September 29, 1932, as follows:

I shall use this position of high responsibility to discuss up and down the country, at all seasons, at all times, the duty of reducing taxes, of increasing the efficiency of government, of cutting out the underbrush around our governmental structure, of getting the most public service for every dollar paid by taxation. This I pledge you and nothing I have said in the campaign transcends in importance this covenant with the taxpayers of this country.

After the President of the United States made that pointed statement on economy, what has transpired since that time? Now, the Members of Congress want to build a library at Hyde Park that will cost \$300,000 when we have an Archives Building down here, or a public library, which would be glad to accept these papers. I feel confident that the President of the United States will veto this bill, if he is a man of his word. Why would he want to go ahead and spend this money to build a library when it is not necessary? Why would he permit the Members of this Congress to pass such a bill? I do not think he will do this.

Let me quote again from what the President said in his message to Congress of March 10, 1933, as follows:

For 3 long years the Federal Government has been on the road toward bankruptcy. * * *

With the utmost seriousness I point out to the Congress the profound effect of this fact upon our national economy. * * *

Too often in recent history liberal governments have been wrecked on rocks of loose fiscal policy. We must avoid this danger.

Let us see just what our position is today. We have had 6 long years of the Roosevelt dynasty. Let me refer to the Federal Government financial statement when he took office in 1933, at which time we had a national indebtedness of only about \$19,000,000,000.

Let us see where we are today. I have here the statement of July 10, 1939, published by Mr. Morgenthau, the Secretary of the Treasury. This statement shows we are now \$40,587,024,737.12 in the red. This is Mr. Morgenthau's statement of the condition of the Treasury, and Mr. Morgenthau is Mr. Roosevelt's Secretary of the Treasury. This shows an increase in the national debt of over \$20,000,000,000 in 6 years, or more than \$2,750,000,000 annually.

It is a terrible condition in which we find ourselves, after the President promised economy; and now you are going to drive down his throat a further expenditure of \$300,000 for a library, when you have built more libraries and public schools in the last 6 years than we ever built before in the history of this Nation. If the President of the United States backs

up on the statements he has made, as I have quoted them, and they are his actual words, it will be just too bad.

Our Speaker has had a week's vacation, and we are glad to see him back. I should like to have him take the position here on the floor of this House of trying to get this Congress to stop spending, spending, spending money, the result of which will be that some day either the taxpayers of this country will have to pay these debts out of their hard-earned dollars and by the sweat of their brow or we shall repudiate our debts; and if we do repudiate our debts, we shall lose our present form of government and fall under a dictatorship.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The question was taken; and on a division (demanded by Mr. TREADWAY) there were—ayes 91, noes 140.

So the amendment was rejected.

The Clerk read as follows:

SEC. 208. The Archivist shall make to the Congress, at the beginning of each regular session, a report for the preceding fiscal year as to the Franklin D. Roosevelt Library. Such report shall include a detailed statement of all accessions, all dispositions of historical material, and all receipts and expenditures on account of the said library.

SEC. 209. The costs incurred by the Archivist in carrying out the duties placed upon him by this title, including the expenses of the members of the Board and the costs of the Board's necessary clerical assistance, shall be paid out of the appropriations for The National Archives Establishment as other costs and expenses of The National Archives Establishment are paid; and such sums as may be necessary for such purposes are hereby authorized to be appropriated.

TITLE III—FRANKLIN D. ROOSEVELT RESIDENCE

SEC. 301. The head of any executive department, pursuant to agreement between him and the donor, may accept for and in the name of the United States from the donor or from such person or persons as shall be empowered to act for the donor, title to any part or parts of the said Hyde Park estate of the donor and his family which shall be donated to the United States for use in connection with any designated function of the Government administered in such department. The title to any such property may be accepted under this section notwithstanding that it may be subject to the life estate of the donor or of any other person or persons now living: *Provided*, That during the continuance of any life estate reserved therein no expense to the United States in connection with the ordinary maintenance of the property so acquired shall be incurred: *Provided further*, That the acceptance hereunder by the United States of the title to property in which any life estate is reserved shall not during the existence of such life estate exempt the property, except to the extent provided in section 304 of this title, from taxation by the town of Hyde Park, Dutchess County, or the State of New York as other real property in the said town, county, or State is taxed under the applicable laws relating to taxation of real property.

SEC. 302. Upon the expiration of all life estates reserved in any property acquired under this title for use in connection with a designated function of the Government, or, if no life estate is reserved, immediately upon the acceptance of title thereto, the head of the department administering the said function shall assume jurisdiction and control over the property so acquired and administer it for the purpose designated, subject to the applicable provisions of law.

SEC. 303. Notwithstanding any other provisions of law, the head of any department exercising jurisdiction and control over any property acquired under this title shall be authorized to charge and collect, under regulations prescribed by him, a fee not in excess of 25 cents per person for the privilege of visiting and viewing the said property, and any funds thus derived shall be deposited in the Treasury of the United States to the credit of a special fund, and shall be available, when appropriated by the Congress, for expenditure in the upkeep, maintenance, protection, and preservation of any property acquired under this title.

Mr. TREADWAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TREADWAY: On page 10, strike out lines 3 to 13, inclusive.

Mr. TREADWAY. Mr. Chairman, the object of this amendment to strike out section 303 is to eliminate the admission charge of 25 cents per person "for the privilege of visiting and viewing the said property." You have already passed on the question of charging an admission fee of 25 cents to the building. A visitor paying that charge will also be charged 25 cents to visit and view the property; in other words, by the time the visitor gets into the library itself he will have paid a 50-cent fee for that privilege.

Mr. Chairman, some of the most beautiful estates in the United States are in the district I have the honor to represent. People tour through the Berkshires and western Massachusetts not alone for the purpose of seeing the scenery but to see the magnificent estates that are maintained in that area. Who ever heard of the owner of one of these estates charging a fee for so much as looking over his hedge, for instance, to see the beautiful grounds, the flowers, and the house itself? There is no more reason for an admission fee to be charged to the grounds wherein the Franklin D. Roosevelt Library will be constructed than there is to charge admission to estates throughout the Berkshires and other areas of New England.

I cannot conceive of anything more undignified than to ask a taxpayer of the United States to pay 25 cents to go through the gate of the residence of the President of the United States, even though later on it should become the property of the United States itself. Let us at least be a little dignified in dealing with this proposition and not make it a dime-museum proposition, charging admission not only to the building but to the grounds as well.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Michigan?

Mr. HOFFMAN. Does not the gentleman recall that on entering these grounds one can look across the river and see the kingdom of Father Divine? Perhaps that is why the charge is made.

Mr. TREADWAY. There is enough objection to the proposition itself without crossing the Hudson River to find anything further.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I yield to the gentleman from Texas.

Mr. RAYBURN. I wish to say that as far as I am concerned—

Mr. TREADWAY. You will pay 50 cents.

Mr. RAYBURN. And I do not speak for anybody but myself over here. I should like to see the gentleman's amendment adopted.

Mr. TREADWAY. I thank the gentleman. I believe it ought to be adopted.

Mr. RAYBURN. I say that because this is another section of the bill and imposes an additional charge of 25 cents to get on the premises.

Mr. TREADWAY. In other words, the gentleman is in agreement with the argument I am making, that it would cost 50 cents to get on the property and into the library, too.

Mr. RAYBURN. I am afraid so.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The amendment was agreed to.

The Clerk read as follows:

SEC. 304. The right is reserved in the Congress to take such action and to make such changes, modifications, alterations, and improvements in connection with and upon any property acquired under this title, during or after the expiration of any life estate reserved therein, as the Congress shall deem proper and necessary to protect and preserve the same; but neither the improvements so made nor any increase in the value of the property by reason thereof shall be subject to taxation during the existence of any life estate reserved in the property.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose and the Speaker having resumed the chair, Mr. BOEHNE, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the joint resolution (S. J. Res. 118) to provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes, pursuant to House Resolution 238, he reported the same back to the House with sundry amendments adopted in Committee.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment; if not, the Chair will put them en gros.

The amendments were agreed to.

The joint resolution was ordered to be read a third time and was read the third time.

Mr. FISH. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. FISH. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FISH moves to recommit Senate Joint Resolution 118 to the Committee on the Library with instructions to report the same back forthwith with the following amendment: On page 4, line 13, after the word "maintained", strike out the period, insert a colon and the following: "Provided, That not more than \$12,000 shall be expended annually."

Mr. RAYBURN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. FISH. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 132, nays 219, not voting 77, as follows:

[Roll No. 126]

YEAS—132

Alexander	Engel	Keefe	Routzohn
Allen, Ill.	Englebright	Kinzer	Rutherford
Andersen, H. Carl	Fenton	Knutson	Sandager
Anderson, Calif.	Fish	Lambertson	Schafer, Wis.
Angell	Ford, Leland M.	Landis	Schiffler
Arends	Gamble	LeCompte	Secombe
Austin	Gartner	Lewis, Ohio	Seger
Ball	Gerlach	Luce	Shafer, Mich.
Barton	Gleicher	McLean	Short
Bates, Mass.	Gillie	McLeod	Simpson
Bender	Graham	Mapes	Smith, Maine
Blackney	Gross	Marshall	Springer
Bolles	Gwynne	Martin, Iowa	Stefan
Brewster	Halleck	Martin, Mass.	Sumner, Ill.
Brown, Ohio	Hancock	Mason	Taber
Carlson	Harness	Michener	Talle
Carter	Harter, N. Y.	Monkiewicz	Thill
Chilperfield	Hawks	Mott	Thorkelson
Church	Heinke	Mundt	Tibbott
Clason	Hess	Murray	Tinkham
Clevenger	Hinshaw	O'Brien	Treadway
Corbett	Hoffman	Oliver	Van Zandt
Crawford	Hope	Osmer	Vorys, Ohio
Crowther	Horton	Pierce, N. Y.	Vreeland
Curtis	Jarrett	Powers	Wadsworth
Darrow	Jenkins, Ohio	Reed, Ill.	Wheat
Dirksen	Jenks, N. H.	Reed, N. Y.	White, Ohio
Ditter	Jensen	Rees, Kans.	Wigglesworth
Dondero	Johns	Rich	Williams, Del.
Douglas	Johnson, Ill.	Robison, Ky.	Winter
Dowell	Johnson, Ind.	Rockefeller	Wolcott
Dworshak	Jones, Ohio	Rodgers, Pa.	Woodruff, Mich.
Elston	Kean	Rogers, Mass.	Youngdahl

NAYS—219

Allen, La.	Cole, Md.	Fries	Jones, Tex.
Allen, Pa.	Cole, N. Y.	Fulmer	Keller
Anderson, Mo.	Collins	Garrett	Kennedy, Martin
Arnold	Colmer	Gathings	Kennedy, Md.
Ashbrook	Cooley	Gavagan	Kennedy, Michael
Barden	Costello	Gearhart	Keogh
Barnes	Creal	Gehrmann	Kerr
Barry	Crosser	Geyer, Calif.	Kilday
Bates, Ky.	Crowe	Gibbs	Kitchens
Beam	Cullen	Gossett	Kleberg
Beckworth	D'Alesandro	Green	Kocalkowski
Bell	Darden	Gregory	Kramer
Boehne	Delaney	Griffith	Kunkel
Boland	Dempsey	Hall	Lanham
Boren	DeRouen	Hare	Lea
Boykin	Dickstein	Harrington	Leavy
Bradley, Pa.	Dingell	Hart	Lemke
Brooks	Disney	Harter, Ohio	Lesinski
Brown, Ga.	Doughton	Havener	Lewis, Colo.
Bryson	Doxey	Healey	Ludlow
Buck	Drewry	Hendricks	McAndrews
Buckler, Minn.	Duncan	Hennings	McArdle
Burch	Dunn	Hill	McGehee
Burdick	Durham	Hobbs	McGranery
Burgin	Eberharter	Hook	McKeough
Byron	Elliott	Houston	McLaughlin
Caldwell	Ellis	Hull	McMillan, John L.
Cannon, Fla.	Faddis	Hunter	Mahon
Cannon, Mo.	Fay	Izac	Maloney
Cartwright	Flaherty	Jacobsen	Mansfield
Chapman	Flannagan	Jarman	Marcantonio
Clark	Folger	Johnson, Lyndon	Martin, Colo.
Cochran	Ford, Miss.	Johnson, Okla.	Martin, Ill.
Coffee, Nebr.	Ford, Thomas F.	Johnson, W. Va.	Massingale

May	Patton	Satterfield	Tenerowicz
Miller	Peterson, Fla.	Schaefer, Ill.	Terry
Mills, Ark.	Peterson, Ga.	Schuetz	Thomas, Tex.
Mills, La.	Pfeifer	Schulte	Tolan
Monroney	Pierce, Oreg.	Schwert	Vincent, Ky.
Moser	Pittenger	Scruggam	Vinson, Ga.
Mouton	Poage	Sheppard	Voorhis, Calif.
Murdock, Ariz.	Polk	Sirovich	Walgren
Murdock, Utah	Ramspeck	Smith, Va.	Walter
Myers	Randolph	Smith, Wash.	Ward
Nelson	Rankin	Smith, W. Va.	Warren
Nichols	Rayburn	Snyder	Weaver
Norrell	Reece, Tenn.	South	Welch
O'Connor	Robertson	Sparkman	West
O'Day	Robinson, Utah	Spence	Whelchel
O'Leary	Rogers, Okla.	Starnes, Ala.	Whittington
O'Neal	Romjue	Steagall	Williams, Mo.
Pace	Ryan	Sullivan	Wolverton, N. J.
Parsons	Sabath	Sutphin	Wood
Patman	Sacks	Sweeney	Zimmerman
Patrick	Sasscer	Tarver	

NOT VOTING—77

Andresen, A. H.	Cox	Jeffries	Risk
Andrews	Culkin	Johnson, Luther A.	Secrest
Bland	Cummings	Kee	Shanley
Bloom	Curley	Kelly	Shannon
Bolton	Dies	Kirwan	Smith, Conn.
Bradley, Mich.	Eaton, Calif.	Larrabee	Smith, Ill.
Buckley, N. Y.	Eaton, N. J.	McCormack	Smith, Ohio
Bulwinkle	Edmiston	McDowell	Somers, N. Y.
Byrne, N. Y.	Evans	McMillan, Thos. S.	Stearns, N. H.
Byrns, Tenn.	Ferguson	Maas	Summers, Tex.
Case, S. Dak.	Fernandez	Maclejewski	Taylor, Colo.
Casey, Mass.	Fitzpatrick	Magnuson	Taylor, Tenn.
Celler	Flannery	Merritt	Thomas, N. J.
Chandler	Gifford	Mitchell	Thomason
Claypool	Gore	Norton	White, Idaho
Cluett	Grant, Ala.	O'Toole	Wolfenden, Pa.
Coffee, Wash.	Grant, Ind.	Pearson	Woodrum, Va.
Connery	Guyer, Kans.	Plumley	
Cooper	Hartley	Rabaut	
Courtney	Holmes	Richards	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. Plumley (for) with Mr. Cooper (against).
 Mr. Smith of Ohio (for) with Mr. Ferguson (against).
 Mr. Bradley of Michigan (for) with Mr. Kee (against).
 Mr. Cluett (for) with Mr. O'Toole (against).
 Mr. Wolfenden of Pennsylvania (for) with Mr. Coffee of Washington (against).
 Mr. Jeffries (for) with Mr. Larrabee (against).
 Mr. Gifford (for) with Mr. Bloom (against).

General pairs:

Mr. Bland with Mr. Eaton of New Jersey.
 Mr. Thomas S. McMillan with Mr. Bolton.
 Mr. Bulwinkle with Mr. Holmes.
 Mr. Woodrum of Virginia with Mr. Taylor of Tennessee.
 Mr. Luther A. Johnson with Mr. Culkin.
 Mr. McCormack with Mr. Thomas of New Jersey.
 Mr. Byrns of Tennessee with Mr. Maas.
 Mr. Rabaut with Mr. Hartley.
 Mr. Cox with Mr. August H. Andresen.
 Mr. Dies with Mr. Guyer of Kansas.
 Mr. Fernandez with Mr. Risk.
 Mr. Thomason with Mr. Stearns of New Hampshire.
 Mr. Richards with Mr. McDowell.
 Mr. Chandler with Mr. Grant of Indiana.
 Mr. Kelly with Mr. Case of South Dakota.
 Mr. Taylor of Colorado with Mr. Eaton of California.
 Mr. Summers of Texas with Mr. Andrews.
 Mr. Claypool with Mr. Magnuson.
 Mrs. Norton with Mr. Courtney.
 Mr. Cummings with Mr. Buckley of New York.
 Mr. Pearson with Mr. Connery.
 Mr. Secrest with Mr. Evans.
 Mr. Somers of New York with Mr. Gore.
 Mr. Merritt with Mr. Shanley.
 Mr. Grant of Alabama with Mr. Byrne of New York.
 Mr. Celler with Mr. Edmiston.
 Mr. Kirwan with Mr. Smith of Connecticut.
 Mr. Flannery with Mr. Curley.
 Mr. Fitzpatrick with Mr. Shannon.

Mr. MURRAY changed his vote from "no" to "aye."

Mr. GEARHART changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

Mr. KELLER. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 221, nays 124, not voting 83, as follows:

[Roll No. 137]

YEAS—221

Allen, La.	Anderson, Calif.	Angell	Ashbrook
Allen, Pa.	Anderson, Mo.	Arnold	Ball

Barden	Ellis	Kunkel	Reece, Tenn.	Smith, Conn.	Stearns, N. H.	Taylor, Tenn.	White, Idaho
Barnes	Faddis	Lanham	Robertson	Smith, Ill.	Sullivan	Thomas, N. J.	Wolfenden, Pa.
Barry	Fay	Lea	Robinson, Utah	Smith, Ohio	Sumners, Tex.	Thomason	Woodrum, Va.
Bates, Ky.	Flaherty	Leavy	Rogers, Mass.	Somers, N. Y.	Taylor, Colo.	Wheat	
Beam	Flannagan	Lemke	Rogers, Okla.				
Beckworth	Folger	Lesinski	Romjue				
Bell	Ford, Miss.	Lewis, Colo.	Ryan				
Boehne	Ford, Thomas F.	Lewis, Ohio	Sabath				
Boland	Fries	Ludlow	Sacks				
Boren	Fulmer	McAndrews	Sasser				
Boykin	Garrett	McArdle	Satterfield				
Bradley, Pa.	Gathings	McGehee	Schaefer, Ill.				
Brooks	Gavagan	McGranery	Schuetz				
Brown, Ga.	Gearhart	McKeough	Schulte				
Bryson	Gehrmann	McLaughlin	Schwert				
Buck	Geyer, Calif.	McMillan, John L.	Secrest				
Buckler, Minn.	Gibbs	Mahon	Sheppard				
Burch	Gossett	Maloney	Sirovich				
Burdick	Green	Mansfield	Smith, Va.				
Burgin	Gregory	Marcantonio	Smith, Wash.				
Byrne, N. Y.	Griffith	Martin, Colo.	Smith, W. Va.				
Byron	Hall	Martin, Ill.	Snyder				
Caldwell	Harrington	Massingale	South				
Cannon, Fla.	Hart	May	Sparkman				
Cannon, Mo.	Harter, N. Y.	Miller	Spence				
Chapman	Harter, Ohio	Mills, Ark.	Starnes, Ala.				
Clark	Havenner	Mills, La.	Steagall				
Cochran	Healey	Monroney	Sutphin				
Coffee, Nebr.	Hendricks	Moser	Sweeney				
Cole, Md.	Hennings	Mouton	Tarver				
Collins	Hill	Murdock, Ariz.	Tenerowicz				
Colmer	Hobbs	Murdock, Utah	Terry				
Cooley	Hook	Myers	Thill				
Costello	Houston	Nelson	Thomas, Tex.				
Creal	Hull	Nichols	Tolan				
Crosser	Hunter	Norrell	Vincent, Ky.				
Crowe	Izac	O'Connor	Vinson, Ga.				
Cullen	Jacobsen	O'Day	Voorhis, Calif.				
D'Alesandro	Jarman	O'Leary	Wallgren				
Darden	Johnson, Lyndon	O'Neal	Walter				
Delaney	Johnson, Okla.	Pace	Ward				
Dempsey	Johnson, W. Va.	Parsons	Warren				
DeRouen	Jones, Tex.	Patman	Weaver				
Dickstein	Keller	Patton	Welch				
Dingell	Kennedy, Martin	Peterson, Fla.	West				
Disney	Kennedy, Md.	Peterson, Ga.	Whichel				
Doughton	Kennedy, Michael	Pfeifer	Whittington				
Doxey	Keogh	Pierce, Oreg.	Williams, Mo.				
Drewry	Kerr	Poage	Willerton, N. J.				
Duncan	Kilday	Polk	Wood				
Dunn	Kitchens	Ramspeck	Zimmerman				
Durham	Kleberg	Randolph					
Eberhart	Kociakowski	Rankin					
Elliot	Kramer	Rayburn					

NAYS—124

Alexander	Engel	Kean	Rodgers, Pa.
Allen, Ill.	Englebright	Keefe	Routzohn
Andersen, H. Carl	Fenton	Kinzer	Rutherford
Arends	Fish	Knutson	Sandager
Austin	Ford, Leland M.	Landis	Schafer, Wis.
Barton	Gamble	LeCompte	Schiffner
Bates, Mass.	Gartner	Luce	Secombe
Bender	Gerlach	McLean	Seger
Blackney	Gifford	McLeod	Shafer, Mich.
Bolles	Gillie	Mapes	Short
Brewster	Graham	Marshall	Smith, Maine
Brown, Ohio	Gross	Martin, Iowa	Springer
Carlson	Gwynne	Martin, Mass.	Stefan
Carter	Halleck	Mason	Sumner, Ill.
Chipperfield	Hancock	Michener	Taber
Church	Harness	Monkiewicz	Talle
Clason	Hawks	Mott	Thorkelson
Clevenger	Heinke	Mundt	Tibbott
Cole, N. Y.	Hess	Murray	Tinkham
Corbett	Hinshaw	O'Brien	Treadway
Crawford	Hoffman	Oliver	Van Zandt
Crowther	Hope	Osmer	Vorys, Ohio
Curtis	Horton	Pierce, N. Y.	Vreeland
Darrow	Jarrett	Pittenger	Wadsworth
Dirksen	Jenkins, Ohio	Powers	White, Ohio
Ditter	Jenks, N. H.	Reed, Ill.	Wigglesworth
Dondero	Jensen	Reed, N. Y.	Williams, Del.
Douglas	Johns	Rees, Kans.	Winter
Dowell	Johnson, Ill.	Rich	Wolcott
Dworshak	Johnson, Ind.	Robison, Ky.	Woodruff, Mich.
Elston	Jones, Ohio	Rockefeller	Youngdahl

NOT VOTING—83

Andersen, A. H.	Connery	Gore	Maas
Andrews	Cooper	Grant, Ala.	Maclejewski
Bland	Courtney	Grant, Ind.	Magnuson
Bloom	Cox	Guyer, Kans.	Merritt
Bolton	Culkin	Hare	Mitchell
Bradley, Mich.	Cummings	Hartley	Norton
Buckley, N. Y.	Curley	Holmes	O'Toole
Bulwinkle	Dies	Jeffries	Patrick
Byrns, Tenn.	Eaton, Calif.	Johnson, Luther	Pearson
Cartwright	Eaton, N. J.	Kee	Plumley
Case, S. Dak.	Edmiston	Kelly	Rabaut
Casey, Mass.	Evans	Kirwan	Richards
Celler	Ferguson	Lambertson	Risk
Chandler	Fernandez	Larrabee	Scrigham
Claypool	Fitzpatrick	McCormack	Shanley
Cluett	Flannery	McDowell	Shannon
Coffee, Wash.	Gilchrist	McMillan, Thos. S.	Simpson

So the joint resolution was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Cooper (for) with Mr. Plumley (against).
 Mr. Ferguson (for) with Mr. Smith of Ohio (against).
 Mr. Kee (for) with Mr. Gilchrist (against).
 Mr. Coffee of Washington (for) with Mr. Wolfenden of Pennsylvania (against).
 Mr. O'Toole (for) with Mr. Cluett (against).
 Mr. Larrabee (for) with Mr. Jeffries (against).
 Mr. Bloom (for) with Mr. Bradley of Michigan (against).
 Mr. Magnuson (for) with Mr. Andrews (against).

General pairs:

Mr. Bland with Mr. Eaton of New Jersey.
 Mr. Thomas S. McMillan with Mr. Bolton.
 Mr. Bulwinkle with Mr. Holmes.
 Mr. Woodrum of Virginia with Mr. Taylor of Tennessee.
 Mr. Luther A. Johnson with Mr. Culkin.
 Mr. McCormack with Mr. Thomas of New Jersey.
 Mr. Byrns of Tennessee with Mr. Maas.
 Mr. Rabaut with Mr. Hartley.
 Mr. Cox with Mr. August H. Andresen.
 Mr. Dies with Mr. Guyer of Kansas.
 Mr. Fernandez with Mr. Risk.
 Mr. Thomason with Mr. Stearns of New Hampshire.
 Mr. Richards with Mr. McDowell.
 Mr. Chandler with Mr. Grant of Indiana.
 Mr. Kelly with Mr. Case of South Dakota.
 Mr. Taylor of Colorado with Mr. Eaton of California.
 Mr. Somers of New York with Mr. Claypool.
 Mrs. Norton with Mr. Courtney.
 Mr. Scrigham with Mr. Lambertson.
 Mr. Hare with Mr. Simpson.
 Mr. Cartwright with Mr. Wheat.
 Mr. Pearson with Mr. Connery.
 Mr. Merritt with Mr. Shanley.
 Mr. Celler with Mr. Edmiston.
 Mr. Fitzpatrick with Mr. Smith of Connecticut.
 Mr. Flannery with Mr. Shannon.
 Mr. Buckley of New York with Mr. Cummings.
 Mr. Evans with Mr. Grant of Alabama.
 Mr. Sullivan with Mr. Gore.
 Mr. Kirwan with Mr. Curley.

Mr. HILL changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks in the RECORD on the resolution just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHEPPARD. Mr. Speaker, in behalf of my colleague the gentleman from Maryland [Mr. BYRON], who was called from the floor, I ask unanimous consent that his remarks may be extended in the RECORD to include an editorial from the Baltimore Sun.

The SPEAKER. Is there objection?

There was no objection.

Mr. DREWRY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an excerpt from a speech made by Col. E. W. Jordan, of Roanoke, Va., at the annual encampment of the Spanish-American War veterans.

The SPEAKER. Is there objection?

There was no objection.

LICENSING OF CIVILIAN MILITARY ORGANIZATIONS, ETC.

Mr. CLARK, from the Committee on Rules, submitted the following resolution (H. Res. 257), which was referred to the House Calendar and ordered to be printed:

House Resolution 257

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 5138, a bill to make unlawful attempts to overthrow the Government of the United States; to require licensing of civilian military organizations; to make unlawful attempts to interfere with the discipline of the Army and Navy; to require registration and fingerprinting of aliens; to enlarge the jurisdiction of the United States Circuit Court of Appeals in certain cases; and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the

chairman and the ranking minority member of the Committee on the Judiciary, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my own remarks, and include a letter from Hon. J. J. McEntee, acting director of the Civilian Conservation Corps.

The SPEAKER. Is there objection?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks by including a short editorial appearing in the Brooklyn Daily Eagle.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects, and to include certain excerpts.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXPLANATION

Mr. LEAVY. Mr. Speaker, I desire to announce that my colleagues, Mr. COFFEE of Washington and Mr. MAGNUSON, were both unavoidably called from the House. Had they been present they would have voted "no" on the motion to recommit and "aye" on the passage of the joint resolution.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from the Chairman of the Home Owners' Loan Corporation and a brief statement of the workings of the Home Owners' Loan Corporation.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a short editorial from the St. Louis Post-Dispatch.

The SPEAKER. Is there objection?

There was no objection.

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. GAMBLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial from today's New York Times.

The SPEAKER. Is there objection?

There was no objection.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include a short newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER asked and was given permission to revise and extend his own remarks.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. O'TOOLE, indefinitely, on account of serious illness.

To Mr. HARE, for 2 days, on account of important business.

To Mr. FERGUSON, for 10 days, on account of official business.

To Mr. RISK, for 3 days, on account of important business.

REQUEST FROM SENATE

The SPEAKER. The Chair lays before the House the following request from the Senate of the United States:

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES,

July 13 (legislative day, July 10), 1939.

Ordered: That the Secretary be directed to request the House of Representatives to return to the Senate a joint resolution, Senate Joint Resolution 155, entitled "Joint resolution consenting to an interstate oil compact to conserve oil and gas."

The SPEAKER. Without objection the request will be granted.

There was no objection.

ANNOUNCEMENT AS TO VOTE

Mr. PATRICK. Mr. Speaker, I was unavoidably detained and could not be in the Chamber at the vote just taken. Had I been here, I would have voted "yea."

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial from the Indianapolis Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes tomorrow afternoon after the completion of the legislative program for the day and other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Under the special order heretofore entered the gentleman from Michigan [Mr. CRAWFORD] is recognized.

ANNOUNCEMENT OF MEETING, SATURDAY, JULY 15, 1939, RE CERTAIN FARM PRODUCTS

Mr. CRAWFORD. Mr. Speaker, this morning I had for my breakfast delicious American-prepared bacon, which cost me 15 cents per pound at a retail store here in Washington. We are using in our home American-made lard, which is retailing in Washington at 7½ cents a pound, or 2 pounds for 15 cents. I have just torn from the Evening Star of Thursday, July 13, and hold here in my hand a full-page advertisement showing that these prices will prevail in the retail store of Washington tomorrow.

Mr. Speaker, at the present time there are 257,127,595 bushels of corn under commodity-credit loan in this country on which the Government has advanced loans through the Commodity Credit Corporation. The farmers of this country, according to the Department of Agriculture report of July 10, hold on farms 836,921,000 bushels of corn—old stock. The Department's recent estimate of corn production for the coming crop is 2,570,795,000 bushels. In the feeding pens of this country are millions of pounds of pork and lard wrapped up in hides on the way to market.

Tonight's papers carry the story that wheat prices slumped today on the Liverpool market below 1931 dark-day prices, a drop to about 85 cents per 100 pounds for July delivery options. This is an illustration of what the farmers of this country face in the disposition of their grains and cottonseed oils, their corn, and their corn products in the form of pork and fats.

I am calling the attention of the House to some of these facts today in the hope that Members from the cotton States and the corn-producing States will give serious attention to this price situation which now prevails and lower prices which undoubtedly will prevail during the next few months, all in the hope that the Members of the House will meet in the caucus room of the old House Office Building next Saturday morning at 11 o'clock to confer with reference to steps that may be taken in connection with the use of section 32 blue-stamp money in alleviating the situation during the coming months, say, up to next January 1, 1940.

I have conferred with certain officials and certain leading Members of the House on the Committee on Agriculture, and I think we shall be able to obtain considerable support from Administration circles in connection with using some of the money recently appropriated to meet the situation for the present time.

It appears to me that the corn growers of this country will in due course divert a considerable proportion of the corn crop into loan stocks, instead of feeding it to hogs as heretofore. Certainly if pork and lard are to move into consumption at present or lower prices, this will induce farmers to secure loans and store corn, rather than feed to livestock for market to be sold at such ruinous prices as now prevail. We may find a situation in corn stocks under loan much more aggravating than is cotton at present. It is reasonable to assume that if such low prices are to prevail on pork and lard that the cotton grower will have to suffer proportionately in connection with lower prices for cottonseed oil. We should now give our most serious attention to this problem, and all looking forward to alleviating conditions as best we can during the next several months. I hope you will join with us next Saturday morning at 11 o'clock, so that an intelligent and full discussion may be had covering this problem, which is of such vital interest to the entire South, the West, the North, and the East. All farmers and industrialists should be vitally concerned about these developments, and every Member of the House has an interest in this problem.

EXTENSION OF REMARKS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to extend the remarks I made today by printing in the RECORD the statement I spoke about in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to give the names of the members of the executive committee of the Roosevelt Library, Inc.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 1882. An act for the relief of Otis M. Culver, Samuel E. Abbey, Joseph Reger, and August H. Krueger.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 289. An act for the relief of the West Virginia Co.;

S. 1575. An act to provide that the annual registration of motor vehicles and the annual licensing of certain public vehicles in the District of Columbia shall be for the period from April 1 in each year to March 31 in the succeeding year; and

S. 2336. An act to authorize an exchange of lands at the Fort Francis E. Warren Military Reservation, Wyo.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned until tomorrow, Friday, July 14, 1939, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

On Saturday, July 15, 1939, Dr. C. E. R. Sherrington, British railroad expert, will testify before the Committee on the Judiciary with respect to the bills H. R. 6369 and S. 1869 to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplemental thereto; to create a railroad reorganization court, and for other purposes. The hearing will be public, and will begin at 10 a. m. in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON NAVAL AFFAIRS

There will be a meeting of the Committee on Naval Affairs at 10 a. m., Friday, July 14, 1939, for the consideration of

general legislation and for the consideration of H. R. 6799, to regulate the assignments of naval officers to duty, and for other purposes.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings in room 219, House Office Building, at 10 a. m., on the bills and dates listed below:

On Tuesday, July 18, 1939, at 10 a. m., hearings will be held on H. R. 7090, to amend section 4488 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, sec. 481), and H. R. 7091, to amend section 4471 of the Revised Statutes of the United States, as amended (U. S. C., 1934 ed., title 46, 464).

COMMITTEE ON FOREIGN AFFAIRS

There will be a meeting of the Committee on Foreign Affairs on Monday, July 17, 1939, at 10:30 a. m., on House Joint Resolution 207, to authorize the Secretaries of War and of the Navy to assist the governments of American republics to increase their military and naval establishments, and for other purposes.

The Foreign Affairs Committee will start hearings on Tuesday, July 18, 1939, at 10 a. m., on proposed legislation dealing with treaty violations, with special reference to the Orient: H. R. 4232 (Mr. Voorhis of California), H. R. 5432 (Mr. Coffee of Washington), H. R. 6837 (Mr. Eaton of New Jersey), House Joint Resolution 42 (Mr. Crawford), House Joint Resolution 113 (Mr. Fish), House Joint Resolution 254 (Mr. Fish), House Joint Resolution 318 (Mr. Wallgren).

COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Committee on the Public Lands on Monday, July 17, 1939, at 10 a. m., in room 328 House Office Building, to consider H. R. 6668.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

983. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1940, amounting to \$1,023,000 (H. Doc. No. 402); to the Committee on Appropriations and ordered to be printed.

984. A communication from the President of the United States, transmitting a supplemental estimate for the Office of Education, Federal Security Agency, for the fiscal year 1940, amounting to \$58,000 (H. Doc. No. 403); to the Committee on Appropriations and ordered to be printed.

985. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Navy Department for the fiscal year 1940 amounting to \$425,000 (H. Doc. No. 404); to the Committee on Appropriations and ordered to be printed.

986. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of the Interior for the fiscal year 1940 amounting to \$54,500 (H. Doc. No. 405); to the Committee on Appropriations and ordered to be printed.

987. A communication from the President of the United States transmitting an estimate of appropriation in the amount of \$346.48, submitted by the Department of Justice, to pay claims for damages to any person or damages to or loss of privately owned property caused by employees of the Federal Bureau of Investigation (H. Doc. No. 406); to the Committee on Appropriations and ordered to be printed.

988. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Communications Commission for the fiscal year 1940 amounting to \$210,000 (H. Doc. No. 407); to the Committee on Appropriations and ordered to be printed.

989. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1940 for the Department of Agriculture in the sum of \$75,000 (H. Doc. No. 408); to the Committee on Appropriations and ordered to be printed.

990. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the Department of the Interior for the fiscal year 1939 amounting to \$3,500 (H. Doc. No. 409); to the Committee on Appropriations and ordered to be printed.

991. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims which have been submitted by the Attorney General through the Secretary of the Treasury and require an appropriation for their payment amounting to \$1,313,906.01 (H. Doc. No. 410); to the Committee on Appropriations and ordered to be printed.

992. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Surgeon General, Public Health Service, to pay a claim for damages by collision or damages incident to the operation of a vessel of the Public Health Service in the sum of \$150 (H. Doc. No. 411); to the Committee on Appropriations and ordered to be printed.

993. A communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property in the sum of \$19,746.07 (H. Doc. No. 412); to the Committee on Appropriations and ordered to be printed.

994. A communication from the President of the United States, transmitting an estimate of appropriation for the Navy Department to pay a claim for damages incident to the operation of a vessel of the Navy in the sum of \$341.93 (H. Doc. No. 413); to the Committee on Appropriations and ordered to be printed.

995. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the War Department to pay claim for damages under river and harbor work in the sum of \$587.50 (H. Doc. No. 414); to the Committee on Appropriations and ordered to be printed.

996. A communication from the President of the United States, transmitting a schedule of claims allowed by the General Accounting Office as shown by certificate of settlement forwarded to the Treasury Department for payment amounting to \$1,358.20 (H. Doc. No. 415); to the Committee on Appropriations and ordered to be printed.

997. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts as submitted by the Attorney General through the Secretary of the Treasury and which require an appropriation for their payment amounting to \$12,856.75 (H. Doc. No. 416); to the Committee on Appropriations and ordered to be printed.

998. A letter from the Secretary of the Interior, transmitting the draft of a proposed bill to authorize the Secretary of the Interior to sell or lease for park or recreational purposes, and to sell for cemetery purposes, certain public lands in Alaska; to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JARMAN: Committee on Printing. Senate Concurrent Resolution 26. Concurrent resolution authorizing the printing of additional copies of the hearings held before the Committee on Interstate Commerce of the Senate on the bill (S. 2009) entitled "Transportation Act of 1939" (Rept. No. 1114). Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. JARMAN: Committee on Printing. Senate Concurrent Resolution 25. Concurrent resolution providing for the printing of additional copies of the hearings held before a subcommittee of the Committee on Finance on the investigation of existing profit-sharing systems between employers and employees in the United States (Rept. No. 1115). Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 24. Concurrent resolution to print House Document No. 212 with Concurrent Resolution No. 12, adopted March 16, 1939, deleted, and the legend "Not printed at Government expense" substituted (Rept. No. 1116). Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 29. Concurrent resolution to print and bind the proceedings of Congress, together with the proceedings at the unveiling in the rotunda, upon acceptance of the statue of Will Rogers, presented by the State of Oklahoma (Rept. No. 1117). Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. BUCK: Committee on Ways and Means. H. R. 6479. A bill amending section 2857 of the Distilled Spirits Act; with amendment (Rept. No. 1118). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCK: Committee on Ways and Means. H. R. 6268. A bill to authorize the Commissioner of Internal Revenue to make certain allowances for losses by leakage and evaporation upon withdrawal of packages of brandy or fruit spirits under certain conditions; without amendment (Rept. No. 1119). Referred to the Committee of the Whole House on the state of the Union.

Mr. WEAVER: Committee on the Judiciary. S. 474. An act to amend section 92 of the Judicial Code to provide for a term of court at Kalispell, Mont.; with amendment (Rept. No. 1141). Referred to the House Calendar.

Mr. MURDOCK of Arizona: Committee on Irrigation and Reclamation. H. R. 3391. A bill providing payment to employees, Bureau of Reclamation, for mileage traveled in privately owned automobiles; without amendment (Rept. No. 1142). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 6832. A bill to provide for the protection of witnesses appearing before any department, independent establishment, or other agency of the United States, or the Congress of the United States; without amendment (Rept. No. 1143). Referred to the House Calendar.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 6506. A bill to declare that the United States holds certain lands in trust for Indian use; with amendment (Rept. No. 1145). Referred to the Committee of the Whole House on the state of the Union.

Mr. CLARK: Committee on Rules. House Resolution 257. Resolution providing for the consideration of H. R. 5138, a bill to make unlawful attempts to overthrow the Government of the United States; to require licensing of civilian military organizations; to make unlawful attempts to interfere with the discipline of the Army and Navy; to require registration and fingerprinting of aliens; to enlarge the jurisdiction of the United States circuit court of appeals in certain cases; and for other purposes; without amendment (Rept. No. 1146). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 5982. A bill for the protection against unlawful use of the badge, medal, emblem, or other insignia of veterans' organizations incorporated by act of Congress, and providing penalties for the violation thereof; without amendment (Rept. No. 1147). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL: Committee on Irrigation and Reclamation. H. R. 6379. A bill to amend section 1 of an act entitled "An act authorizing the Secretary of the Interior to employ engineers and economists for consultation purposes on important reclamation work," approved February 28, 1929 (45 Stat. 1406); without amendment (Rept. No. 1148). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 6324. A bill to provide for the more expeditious settlement of disputes with the United States, and for other purposes; without amendment (Rept. No. 1149). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KEOGH: Committee on Claims. S. 68. An act for the relief of the San Francisco Mountain Scenic Boulevard Co.; without amendment (Rept. No. 1120). Referred to the Committee of the Whole House.

Mr. KEEFE: Committee on Claims. S. 809. An act for the relief of Jessie M. Durst; with amendment (Rept. No. 1121). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. S. 811. An act for the relief of George A. Rogers; without amendment (Rept. No. 1122). Referred to the Committee of the Whole House.

Mr. HALL: Committee on Claims. S. 927. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of Suncrest Orchards, Inc.; without amendment (Rept. No. 1123). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 1042. An act for the relief of the Epes Transportation Corporation; with amendment (Rept. No. 1124). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. S. 1414. An act for the relief of Allie Holsomback and Lonnie Taylor; without amendment (Rept. No. 1125). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. S. 1448. An act for the relief of Anna H. Rosa; with amendment (Rept. No. 1126). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. S. 1812. An act for the relief of A. E. Bostrom; without amendment (Rept. No. 1127). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. S. 1821. An act for the relief of Harry K. Snyder; with amendment (Rept. No. 1128). Referred to the Committee of the Whole House.

Mr. KEEFE: Committee on Claims. S. 2061. An act for the relief of William Hillock; without amendment (Rept. No. 1129). Referred to the Committee of the Whole House.

Mr. ROCKEFELLER: Committee on Claims. H. R. 2440. A bill for the relief of Thomas J. Smith; with amendment (Rept. No. 1130). Referred to the Committee of the Whole House.

Mr. ELLIS: Committee on Claims. H. R. 2919. A bill for the relief of Marie K. Trottnow; with amendment (Rept. No. 1131). Referred to the Committee of the Whole House.

Mr. COFFEE of Washington: Committee on Claims. H. R. 3051. A bill for the relief of certain workers performing emergency work at Cairo, Ill., in the Ohio River flood of 1937; with amendment (Rept. No. 1132). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 3569. A bill for the relief of J. Aristide Lefevre; with amendment (Rept. No. 1133). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 3933. A bill for the relief of Otho L. Curtner; with amendment (Rept. No. 1134). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 4606. A bill for the relief of the Toledo Terminal Railroad Co. of Toledo, Ohio; with amendment (Rept. No. 1135). Referred to the Committee of the Whole House.

Mr. ROCKEFELLER: Committee on Claims. H. R. 4726. A bill for the relief of James W. Gilson; without amendment (Rept. No. 1136). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 5514. A bill for the relief of L. W. Marek, Jr.; with amendment (Rept. No. 1137). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 5923. A bill for the relief of Simon A. Brieger; with amendment (Rept. No. 1138). Referred to the Committee of the Whole House.

Mr. KEEFE: Committee on Claims. H. R. 6030. A bill for the relief of Russell B. Hendrix; with amendment (Rept. No. 1139). Referred to the Committee of the Whole House.

Mr. KEEFE: Committee on Claims. H. R. 6728. A bill for the relief of Stacy C. Mosser, receiver for the Great Northern Majestic Building Corporation; with amendment (Rept. No. 1140). Referred to the Committee of the Whole House.

Mr. BATES of Massachusetts: Committee on Naval Affairs. H. R. 7052. A bill to provide a posthumous advancement in grade for the late Ensign Joseph Hester Patterson, United States Navy; without amendment (Rept. No. 1144). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 6146) granting a pension to George W. Grigsby, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 7187. A bill to establish a Circuit Court of Appeals for Patents; to the Committee on the Judiciary.

By Mr. COCHRAN:

H. R. 7188. A bill to remove certain restrictions on the character of international broadcasts; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSER:

H. R. 7189. A bill to authorize research and experiments to find new uses for anthracite coal; to the Committee on Mines and Mining.

By Mr. CARTER:

H. R. 7190. A bill to authorize the construction of buildings and other facilities for the use of the Government on lands conveyed to the United States by the city of Alameda, Calif., on what is known as Government Island, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. COSTELLO:

H. R. 7191. A bill to make more equitable provision for pensions for the dependents of deceased veterans of the Army, Navy, Marine Corps, and the Coast Guard; to the Committee on Invalid Pensions.

By Mr. FAY:

H. R. 7192. A bill to amend the patent laws to provide for the granting of licenses under patents brought within a single control by competitors to dominate an industry; to the Committee on Patents.

By Mr. GAVAGAN:

H. R. 7193. A bill prohibiting the use of military uniforms or arms by certain organizations; to the Committee on the Judiciary.

By Mr. JONES of Texas:

H. J. Res. 357. Joint resolution designating September 11 to 24, 1939, as a period for the national observance of air progress; to the Committee on the Judiciary.

By Mr. LEWIS of Ohio:

H. J. Res. 358. Joint resolution construing the phrase "ultimate purchaser," as contained in section 304 of the Tariff Act of 1930 as amended by section 3 of the Customs Administrative Act of 1938 (52 Stat. 1077); to the Committee on Ways and Means.

By Mr. CROWTHER:

H. J. Res. 359. Joint resolution proposing a constitutional amendment; to the Committee on the Judiciary.

By Mr. FISH:

H. J. Res. 360. Joint resolution to change the design of United States 10-cent pieces to include an engraving of Benjamin Franklin; to the Committee on Coinage, Weights, and Measures.

By Mr. SMITH of Virginia:

H. Res. 258. Resolution creating a select committee to investigate the National Labor Relations Board; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Wisconsin memorializing the President and the Congress of the United States to consider their Joint Resolution No. 32A, with reference to the Wagner-Van Nuys-Capper antilynching bill; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARDEN:

H. R. 7194. A bill for the relief of Hattie Dillon; to the Committee on Claims.

By Mr. MICHAEL J. KENNEDY:

H. R. 7195. A bill for the relief of Garabed Meghrihan; to the Committee on Immigration and Naturalization.

H. R. 7196. A bill for the relief of Hemayak Meghrihan; to the Committee on Immigration and Naturalization.

By Mr. IZAC:

H. R. 7197. A bill for the relief of Albert W. Toner; to the Committee on Claims.

H. R. 7198. A bill to provide for the advancement on the retired list of the Navy of Clyde S. McDowell, a captain, United States Navy, retired; to the Committee on Naval Affairs.

H. R. 7199. A bill for the relief of First Lt. Rosanna M. King, Army Nurse Corps, retired; to the Committee on Military Affairs.

By Mr. MILLER:

H. R. 7200. A bill conferring jurisdiction upon the United States District Court for the District of Connecticut to hear, determine, and render judgment upon the claim of Chris Nielsen; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 7201. A bill granting a pension to Lura H. P. Markley; to the Committee on Invalid Pensions.

H. R. 7202. A bill granting a pension to Lu M. Linscott; to the Committee on Invalid Pensions.

H. R. 7203. A bill granting a pension to Elsie M. Lum; to the Committee on Invalid Pensions.

H. R. 7204. A bill granting a pension to Kathryn E. Fraley; to the Committee on Invalid Pensions.

H. R. 7205. A bill granting a pension to Margaret Haskin; to the Committee on Invalid Pensions.

H. R. 7206. A bill granting a pension to Irene C. Flack; to the Committee on Invalid Pensions.

H. R. 7207. A bill granting a pension to Olivia Stebbins; to the Committee on Invalid Pensions.

H. R. 7208. A bill granting a pension to May Barnes; to the Committee on Invalid Pensions.

H. R. 7209. A bill granting a pension to Della Bond; to the Committee on Invalid Pensions.

H. R. 7210. A bill granting a pension to Ida Miller; to the Committee on Invalid Pensions.

H. R. 7211. A bill granting a pension to Daisey Vredenburg; to the Committee on Invalid Pensions.

H. R. 7212. A bill granting a pension to Clara L. Owens; to the Committee on Invalid Pensions.

H. R. 7213. A bill granting a pension to Ella E. Huffman; to the Committee on Invalid Pensions.

By Mr. REECE of Tennessee:

H. R. 7214. A bill granting a pension to Annie E. Jackson; to the Committee on Invalid Pensions.

H. R. 7215. A bill granting a pension to Hattie Harvey; to the Committee on Invalid Pensions.

H. R. 7216. A bill granting a pension to Rebecca Jenkins; to the Committee on Invalid Pensions.

H. R. 7217. A bill granting a pension to Mary Johnson; to the Committee on Invalid Pensions.

H. R. 7218. A bill granting a pension to Nora Henley Pierce; to the Committee on Invalid Pensions.

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H. R. 7219. A bill granting an increase of pension to Sarah J. Lake; to the Committee on Invalid Pensions.

H. R. 7220. A bill granting a pension to Martha Story; to the Committee on Invalid Pensions.

H. R. 7221. A bill granting a pension to Mary E. Ringer; to the Committee on Invalid Pensions.

H. R. 7222. A bill granting a pension to Myrtle Payne; to the Committee on Invalid Pensions.

H. R. 7223. A bill granting a pension to Herthe L. R. Whitney; to the Committee on Invalid Pensions.

H. R. 7224. A bill granting a pension to Cinda Forbes; to the Committee on Invalid Pensions.

H. R. 7225. A bill granting a pension to Lucy E. Huff; to the Committee on Invalid Pensions.

H. R. 7226. A bill granting a pension to Hattie Campbell; to the Committee on Invalid Pensions.

H. R. 7227. A bill granting a pension to Sarah L. Ellison; to the Committee on Invalid Pensions.

H. R. 7228. A bill granting a pension to Charlie Campbell; to the Committee on Invalid Pensions.

H. R. 7229. A bill granting a pension to Joke Campbell; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky:

H. R. 7230. A bill to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4635. By Mr. ANGELL: Petition of Peter Marchilton and sundry citizens of Portland, Oreg., protesting against the reduction in hourly rate of pay on Works Progress Administration projects; to the Committee on Ways and Means.

4636. By Mr. GAMBLE: Petition signed by Walter MacKellar and other residents of New York State, urging the immediate enactment of "mandatory, stay-out-of-war" legislation by the Congress; to the Committee on Foreign Affairs.

4637. By Mr. HAVENNER: Petition of the members of Historical Records Survey, project 8995, San Francisco, Calif., urging Congress to expand the Works Progress Administration program to provide useful work for at least 3,000,000 of America's 12,000,000 unemployed, and to remove all restrictive clauses from the recently enacted Works Progress Administration bill; to the Committee on Appropriations.

4638. By Mr. LUTHER A. JOHNSON: Petition of Steve Collins, of Mart, Tex., favoring House bill 6749; to the Committee on Agriculture.

4639. By Mr. MICHAEL J. KENNEDY: Petition of the Federation of Architects, Engineers, Chemists, and Technicians, of New York City, urging restoration of the prevailing wage scale in the Works Progress Administration relief appropriation bill and other changes; to the Committee on Appropriations.

4640. Also, petition of the United States Office and Professional Workers of America, opposing the Smith bill for investigation of the National Labor Relations Board; to the Committee on Labor.

4641. Also, petition of New York State Economic Council, Inc., pertaining to the elimination from Works Progress Administration relief of the prevailing rate of wages; to the Committee on Appropriations.

4642. Also, petition of the Cowles Detergent Co. of Cleveland, Ohio, favoring the Smith resolution to investigate the National Labor Relations Board; to the Committee on Labor.

4643. Also, petition of the Joseph R. Bergey Co. of New York City, urging enactment of the Kings Canyon Park bill with certain amendments; to the Committee on the Public Lands.

4644. Also, petition of the Works Progress Administration Teachers Union, Local No. 453, of New York City, urging

enactment of legislation to restore the prevailing-wage scale in the Works Progress Administration appropriation bill and other changes; to the Committee on Labor.

4645. Also, petition of the New York State Waterways Association, opposing the Wheeler-Lea bill for the regulation of water transportation; to the Committee on Interstate and Foreign Commerce.

4646. Also, petition of Labor's Council, United Federal Workers of America, favoring enactment of House bill 6327 and Senate bill 2449, pertaining to United States customs laborers; to the Committee on Ways and Means.

4647. Also, petition of the Social Service Employees Union of New York City, advocating restoration of the prevailing wage clause and Works Progress Administration theater projects, also urging abolishment of the 60-day waiting period and decentralization of Art Project; to the Committee on Appropriations.

4648. Also, petition of the International Brotherhood of Paper Makers of Albany, N. Y., opposing any investigation of the National Labor Relations Board and its administration of the National Labor Relations Act; to the Committee on Labor.

4649. Also, petition of the Internal Revenue, Local No. 47, United Federal Workers of America, opposing enactment of House bills 4960, 5643, 5138, and Senate bills 408 and 410; to the Committee on the Judiciary.

4650. Also, petition of the Brotherhood of Railroad Trainmen, expressing approval of President Roosevelt's recommendation for a \$3,860,000,000 recovery fund in the form of self-liquidating projects; to the Committee on Appropriations.

4651. Also, petition of the Conference of Independent Bakery Owners and Managers, favoring amendment of the National Labor Relations Act in such manner as will cause it to operate uniformly upon both employer and employee; to the Committee on Labor.

4652. Also, petition of the American Whaling Information Service of New York City, pertaining to the newly revived American whaling industry; to the Committee on Merchant Marine and Fisheries.

4653. Also, petition of the New York State League of Savings and Loan Associations, urging enactment of House bill 6971; to the Committee on Banking and Currency.

4654. By Mr. KEOGH: Petition of Hon. James Garfield Stewart, mayor, city of Cincinnati, favoring the passage of

the Barkley bill (S. 685); to the Committee on Rivers and Harbors.

4655. Also, petition of the International Brotherhood of Paper Makers, Albany, N. Y., concerning the investigation of the National Labor Relations Board; to the Committee on Labor.

4656. Also, petition of the Federation of Architects, Engineers, Chemists, and Technicians, New York City, concerning the 1939-40 work-relief bill; to the Committee on Appropriations.

4657. By Mr. PFEIFER: Petition of the Valve Pilot Corporation, New York City, urging support of the Smith resolution (H. J. Res. 229), for investigation of the Labor Board; to the Committee on the Judiciary.

4658. Also, petition of Abraham & Straus, Inc., Brooklyn, N. Y., favoring the passage of the Sullivan bill (H. R. 6479) to amend section 2857 of the Federal Distilled Spirits Act; to the Committee on Interstate and Foreign Commerce.

4659. Also, petition of Sperry Products, Inc., Brooklyn, N. Y., urging the passage of the Smith resolution, to investigate the National Labor Board; to the Committee on Labor.

4660. Also, petition of the E. W. Bliss Co., Brooklyn, N. Y., urging consideration of the Smith resolution (H. J. Res. 229), to investigate the National Labor Relations Board; to the Committee on Labor.

4661. Also, petition of George D. Brown, secretary, New York State Division of Housing, New York City, urging consideration of House bill 2888; to the Committee on Banking and Currency.

4662. By Mr. SHAFER of Michigan: Resolution of the annual convention, Department of Michigan, Veterans of Foreign Wars, urging adoption of legislation to extend civil-service benefits to all Government employees of the same degree as those now receiving them; to the Committee on the Civil Service.

4663. Also, resolution of the Conference of Independent Bakery Owners and Managers, urging amendment of the National Labor Relations Act; to the Committee on Labor.

4664. By the SPEAKER: Petition of the Alabama Cotton Cooperative Association, Montgomery, Ala., urging consideration of their resolution with reference to House bill 5269, for pink bollworm control and eradication work; to the Committee on Agriculture.